

Michigan Register

Issue No. 7 – 2002 (Published May 1, 2002)



GRAPHIC IMAGES IN THE MICHIGAN REGISTER

COVER DRAWING

Michigan State Capitol:

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

PAGE GRAPHICS

Capitol Dome:

The architectural rendering of the Michigan State Capitol's dome is the work of Elijah E. Myers, the building's renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers' fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19th century have survived. Michigan is fortunate that many of Myers' designs for the Capitol were found in the building's attic in the 1950's. As part of the state's 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

East Elevation of the Michigan State Capitol:

When Myers' drawings were discovered in the 1950's, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building's recent restoration (1989-1992), this drawing was commissioned to recreate the architect's original rendering of the east (front) elevation.

(Michigan Capitol Committee)

Michigan Register

Published pursuant to § 24.208 of
The Michigan Compiled Laws



Issue No. 7 — 2002

(This issue, published May 1, 2002, contains
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Brian D. Devlin, Director, Office of Regulatory Reform; **Alicia M. Sikkenga**, Attorney; **Deidre O'Berry**, Administrative Assistant for Operations; **James D. Lance**, Administrative Assistant for Publications.

John Engler, Governor



Dick Posthumus, Lieutenant Governor

PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Office of Regulatory Reform publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

MCL 24.208 states:

Sec. 8 (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

- (a) Executive orders and executive reorganization orders.
 - (b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.
 - (c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.
 - (d) Proposed administrative rules.
 - (e) Notices of public hearings on proposed administrative rules.
 - (f) Administrative rules filed with the secretary of state.
 - (g) Emergency rules filed with the secretary of state.
 - (h) Notice of proposed and adopted agency guidelines.
 - (i) Other official information considered necessary or appropriate by the office of regulatory reform.
 - (j) Attorney general opinions.
 - (k) All of the items listed in section 7(1) after final approval by the certificate of need commission or the statewide health coordinating council under section 22215 or 22217 of the public health code, 1978 PA 368, MCL 333.22215 and 333.22217.
- (2) The office of regulatory reform shall publish a cumulative index for the Michigan register.
 - (3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.
 - (4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the office of regulatory reform may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.
 - (5) An agency shall transmit a copy of the proposed rules and notice of public hearing to the office of regulatory reform for publication in the Michigan register.

MCL 4.1203 states:

Sec. 203. (1) The Michigan register fund is created in the state treasury and shall be administered by the office of regulatory reform. The fund shall be expended only as provided in this section.

- (2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.
- (3) The Michigan register fund shall be used to pay the costs preparing, printing, and distributing the Michigan register.
- (4) The department of management and budget shall sell copies of Michigan register at a price determined by the office of regulatory reform not to exceed cost of preparation, printing, and distribution.
- (5) Notwithstanding section 204, beginning January 1, 2001, the office of regulatory reform shall make the text of the Michigan register available to the public on the internet.
- (6) The information described in subsection (5) that is maintained by the office of regulatory reform shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the office of regulatory reform shall be made available in the shortest feasible time after it is made available to the office of regulatory reform.
- (7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).
- (8) The office of regulatory reform shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).
- (9) As used in this section, "Michigan register" means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

CITATION TO THE MICHIGAN REGISTER

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

CLOSING DATES AND PUBLICATION SCHEDULE

The deadlines for submitting documents to the Office of Regulatory Reform for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The Office of Regulatory Reform is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, Office of Regulatory Reform, Executive Office, George W. Romney Building, 111 S. Capitol Avenue, Lansing, MI 48933

RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE

The *Michigan Administrative Code* (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the *Michigan Register*. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the *Register* during a given calendar year. Emergency rules published in an issue of the *Register* are noted in the annual supplement to the Code.

SUBSCRIPTIONS AND DISTRIBUTION

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of \$110.00 per year. Submit subscription requests to: DMB, Office of Administrative Services, P.O. Box 30026, 320 South Walnut Street, Lansing, MI 48909. Checks Payable: State of Michigan. Any questions should be directed to the Office of Regulatory Reform (517) 373-0526.

INTERNET ACCESS

The *Michigan Register* can be viewed free of charge on the Internet web site of the Office of Regulatory Reform: www.state.mi.us/orr

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the Office of Regulatory Reform Internet web site. The electronic version of the *Register* can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Brian D. Devlin, Director
Office of Regulatory Reform

2002 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
2002		
1	January 15, 2002	February 1, 2002
2	February 1, 2002	February 15, 2002
3	February 15, 2002	March 1, 2002
4	March 1, 2002	March 15, 2002
5	March 15, 2002	April 1, 2002
6	April 1, 2002	April 15, 2002
7	April 15, 2002	May 1, 2002
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20	November 1, 2002	November 15, 2002
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ADMINISTRATIVE RULES
FILED WITH THE SECRETARY OF STATE

MCL 24.208 states in part:

“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(f) Administrative rules filed with the secretary of state.”

ADMINISTRATIVE RULES

ORR #1996-148

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

CONTROLLED SUBSTANCES

Filed with the Secretary of State on April 3, 2002.

These rules take effect 7 days after filing with the Secretary of State

(By authority conferred on the director of the department of consumer and industry services by sections 7201, 7301, 7333, and 16145 of Act No. 368 of the Public Acts of 1978, as amended, and Executive Reorganization Order No. 1996-2, MCL 333.7201, 333.7301, 333.7333, 333.16145, and 445.2001)

R 338.3101, R 338.3102, R 338.3113, R 338.3113a, R 338.3114a, R 338.3117, R 338.3119a, R 338.3120, R 338.3123, R 338.3125, R 338.3127, R 338.3132, R 338.3136, R 338.3138, R 338.3139, R 338.3141, R 338.3143, R 338.3145, R 338.3151, R 338.3152, R 338.3153, R 338.3153a, R 338.3154, R 338.3161, R 338.3162, R 338.3162a, R 338.3163, R 338.3167, R 338.3168, R 338.3169, and R 338.3170 of the Michigan Administrative Code are amended, R 338.3121a and R 338.3126 are added to the Code, and R 338.3133 and R 338.3134 of the Code are rescinded as follows:

PART 1. GENERAL PROVISIONS

R 338.3101 Definitions; A to H.

Rule 1. As used in these rules:

- (a) "Act" means 1978 PA 368, MCL 333.1101 et seq.
- (b) "Deleterious drug" means a drug, other than a proprietary medicine, that is likely to be destructive to adult human life in quantities of 60 grains or less.
- (c) "Department" means the department of consumer and industry services.
- (d) "Electronic signature" is a unique identifier protected by appropriate security measures such that it is only available for use by the intended individual and ensures nonrepudiation so that the signature could not be rejected based on its validity.
- (e) "Sign" means to affix a signature manually in the same manner as signing a check or legal document or to use an electronic signature, as defined in subdivision d of this rule.
- (F) "Hearing" means a hearing that is held pursuant to the grant, denial, revocation, or suspension of a license issued under the act.

R 338.3102 Definitions; I to P.

Rule 2. (1) As used in these rules:

- (a) “Inventory” means all stocks in finished form of a controlled substance that is manufactured or otherwise acquired by a licensee, whether in bulk or commercial containers or contained in pharmaceutical preparations in the possession of the licensee.
- (b) “Licensee” means a person who is licensed pursuant to section 7303 of the act.
- (c) “Officer” means a state, county, or local law enforcement officer who has a duty to enforce the laws of this state.
- (d) “Prescriber” of “practitioner” means any of the following entities who are licensed to prescribe the laws of this state:
 - (i) A dentist.
 - (ii) A doctor of medicine.
 - (iii) A doctor of osteopathic medicine and surgery.
 - (iv) A doctor of podiatric medicine and surgery.
 - (v) A veterinarian.
- (2) As used in part 5 of these rules:
 - (a) “Medical institution” means an inpatient health facility which is licensed or approved by the state and which directly or indirectly provides or includes pharmacy services.
 - (b) “Pharmacy services” means the direct and indirect patient care services associated with the practice of pharmacy.

PART 2. SCHEDULES

R 338.3113 Schedule 1; hallucinogenic substances.

Rule 13. Unless specifically excepted, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers, and salts of isomers when the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation, is included in schedule 1:

(a) Alpha-ethyltryptamine.

Some trade or other names:

- (i) etryptamine.
- (ii) monase.
- (iii) α ? ethyl- 1h-indole-3-ethanamine.
- (iv) 3-(2-aminobutyl) indole.

α -et.

AET.

(b) 4-bromo-2,5-dimethoxyamphetamine

Some trade or other names:

- (i) 4-bromo-2,5 dimethoxy-alpha-methylphenethylamine.
- (ii) 4-bromo-2,5-DMA.
- (c) 2,5-dimethoxyamphetamine.

Some trade or other names:

- (i) 2,5-dimethoxy-alpha-methylphenethylamine.
- (ii) 2,5-DMA.

(d) 4-bromo-2,5-dimethoxyphenethylamine.

Some trade or other names:

- (i) 2-(4-bromo-2-5-dimethoxyphenyl)-1-aminoethae.

(ii) desmethyl DOB.

(iii) 2c-b, nexus.

(e) 2,5-dimethoxy-4-ethylamphetamine.

A trade or other name:

DOET.

(f) 4-methoxyamphetamine.

Some trade or other names:

(i) 4-methoxy-alpha-methylphenethylamine.

(ii) paramethoxyamphetamine.

(iii) PMA.

(g) 5-methoxy-3,4-methylenedioxyamphetamine.

(h) 4-methyl-2,5-dimethoxyamphetamine.

Some trade or other names:

(i) 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine.

(ii) DOM.

(iii) STP.

(i) 3,4-methylenedioxyamphetamine.

(j) 3,4-methylenedioxymethamphetamine(MDMA).

(k) 3,4-methylenedioxy-n-ethylamphetamine.

(l) N-hydroxy-3,4-methylenedioxyamphetamine.

(m) 3,4,5-trimethoxyamphetamine.

(n) Bufotenine.

Some trade or other names:

(i) 3-(beta-dimethylaminoethyl)-5-hydroxyindole.

(ii) 3-(2-dimethylaminoethyl)-5-indolol.

(iii) N,N-dimethyserotonin.

(iv) 5-hydroxy-N,N-dimethyltryptamine mappine.

(o) Diethyltryptamine.

Some trade or other names:

(i) N,N-Diethyltryptamine.

(ii) DET.

(p) Dimethyltryptamine.

A trade or other name:

DMT.

(q) Ibogaine.

Some trade or other names:

(i) 7-Ethyl-6,6beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido.

(ii) [1',2':1,2]azepino[5,4-b] indole.

(iii) tabernanthe iboga.

(r) Lysergic acid diethylamide.

(s) Marihuana.

(t) Mescaline.

(u) Parahexyl.

Some trade or other names:

(i) 3-hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran.

(ii) synhexyl.

(v) Peyote.

(w) N-ethyl-3-piperidyl benzilate.

(x) N-methyl-3-piperidyl benzilate.

(y) Psilocybin.

(z) Psilocyn.

(aa) Ethylamine analog of phencyclidine.

Some trade or other names:

(i) n-ethyl-1-phenylcyclohexylamine.

(ii) (1-phenylcyclohexyl) ethylamine.

(iii) n-(1-phenylcyclohexyl)ethylamine.

(iv) cyclohexamine.

(v) PCE.

(bb) Pyrrolidine analog of phencyclidine.

Some trade or other names:

(i) 1-(1-phenylcyclohexyl)-pyrrolidine.

(ii) PCPy.

(iii) PHP.

(cc) Thiophene analog of phencyclidine.

Some trade or other names:

(i) 1-[1-(2-thienyl)-cyclohexyl]-piperidine.

(ii) 2-thienyl-analog of phencyclidine.

(iii) TPCP.

(iv) TCP.

(dd) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine.

Another name:

TCPY.

For the purpose of this rule only, "isomer" includes the optical, position, and geometric isomers.

R 338.3113a Schedule 1; depressants.

Rule 13a. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers when the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation is included in schedule 1:

(a) Gamma-hydroxybutyric acid.

Some other names:

(i) GHB.

(ii) gamma-hydroxybutyrate.

(iii) 4-hydroxybutyrate.

(iv) 4-hydroxybutanoic acid.

(v) sodium oxybate.

(vi) sodium oxybutyrate.

(b) Mecloqualone.

(c) Methaqualone.

R 338.3114a Schedule 1; stimulants.

Rule 14a. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers, is included in schedule 1:

(a) Aminorex.

Some other names:

(i) aminoxaphen.

(ii) 2-amino-5-phenyl-2-oxazoline.

(iii) 4,5-dihydro-5-phenyl-2-oxazamine.

(b) Cathinone.

Some trade or other names:

(i) 2-amino-1-phenyl-1-propanone.

(ii) alpha-aminopropiophenone.

(iii) 2-aminopropiophenone.

(iv) norephedrone.

(c) Methcathinone.

Some trade or other names:

(i) 2-methylamino-1-phenylpropan-1-one.

(ii) CAT.

(iii) Ephedrone.

(d) Fenethylamine.

(e) (±)cis-4-methylaminorex([(±)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazamine]).

(f) N-ethylamphetamine.

(g) N,N-dimethylamphetamine.

Some trade or other names:

(i) N,N-alpha-trimethyl-benzeneethanimine.

(ii) N,N-alpha-trimethylphenethylamine.

R 338.3117 Schedule 2; opiates.

Rule 17. Unless specifically excepted, the following opiates, including their isomers, esters, and ethers, when the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation, are included in schedule 2:

(a) Alfentanil.

(b) Alphaprodine.

(c) Anileridine.

(d) Benztamide.

(e) Bulk dextropropoxyphene (nondosage forms).

(f) Carfentanil.

(g) Dihydrocodeine.

(h) Diphenoxylate.

(i) Fentanyl.

(j) Isomethadone.

(k) Levo-alpha-acetylmethadol.

Some other names:

- (i) Levo-alpha-acetylmethadol.
- (ii) Levomethadyl Acetate.
- (iii) LAAM.
- (l) Levomethorphan.
- (m) Levorphanol.
- (n) Metazocine.
- (o) Methadone.
- (p) Methadone-Intermediate, 4 cyano-2-dimethylamino-4,4 diphenyl butane.
- (q) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid.
- (r) Pethidine (meperidine).
- (s) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine.
- (t) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate.
- (u) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid.
- (v) Phenazocine.
- (w) Piminodine.
- (x) Racemethorphan.
- (y) Racemorphan.
- (z) Remifentanil.
- (aa) Sufentanil.

R 338.3119a Schedule 2; hallucinogenic substances.

Rule 19a. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of nabilone, including its salts, isomers, and salts of isomers when the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation, is included in schedule 2.

R 338.3120 Schedule 3; stimulants; depressants; nalorphine.

Rule 20. (1) Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers whether optical, position, or geometric, and the salts of such isomers, when the existence of such salts, isomers, and the salts of isomers is possible within the specific chemical designation, is included in schedule 3:

- (a) Benzphetamine.
- (b) Chlorphentermine.
- (c) Clortermine.
- (d) Phendimetrazine.

(2) Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers whether optical, position, or geometric, and the salts of such isomers, when the existence of such salts, isomers, and the salts of isomers is possible within the specific chemical designation, is included in schedule 3:

- (a) Chlorhexadol.

(b) Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the federal food, drug, and cosmetic act of 1938, 21 U.S.C. §301 et seq.

(c) Ketamine.

(d) Lysergic acid.

(e) Lysergic acid amide.

(f) Methyprylon.

(g) Pentazocine.

(h) Sulfondiethylmethane.

(i) Sulfonethylmethane.

(j) Sulfonmethane.

(k) Tiletamine-zolazepam.

(3) A compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or a salt thereof and 1 or more other active medicinal ingredients that are not listed in a schedule is included in schedule 3.

(4) A suppository dosage form which contains amobarbital, secobarbital, pentobarbital, or a salt of any of these drugs and which is approved by the food and drug administration for marketing only as a suppository is included in schedule 3.

(5) A substance that contains any quantity of a derivative of barbituric acid or any salt thereof is included in schedule 3.

(6) Nalorphine is included in schedule 3.

R 338.3121a Schedule 3; hallucinogenic substances.

Rule 21a. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States food and drug administration approved drug product and that has a hallucinogenic effect on the nervous system, including its salts, isomers, and salts of isomers when the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation, is included in schedule 3.

R 338.3123 Schedule 4; depressants; drugs affecting the central nervous system; stimulants; exempt chemical preparations for industrial use; exceptions; narcotic drugs.

Rule 23. (1) Unless specifically excepted, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system, including its salts, isomers, and the salts of isomers when the existence of such salts, isomers, and the salts of isomers is possible within the specific chemical designation, is included in schedule 4:

(a) Alprazolam.

(b) Barbital.

(c) Bromazepam.

(d) Camazepam.

(e) Chloralbetaine.

(f) Chloral hydrate.

(g) Chlordiazepoxide.

(h) Clobazam.

(i) Clonazepam.

(j) Clorazepate.

(k) Clotiazepam.

- (l) Cloxazolam.
- (m) Dichloralphenazone.
- (n) Delorazepam.
- (o) Dextropropoxyphene.
- (p) Diazepam.
- (q) Estazolam.
- (r) Modafinil.
- (s) Ethchlorvynol.
- (t) Ethinamate.
- (u) Ethyl loflazepate.
- (v) Fludiazepam.
- (w) Flunitrazepam.
- (x) Flurazepam.
- (y) Halazepam.
- (z) Haloxazolam.
- (aa) Ketazolam.
- (bb) Loprazolam.
- (cc) Lorazepam.
- (dd) Lormetazepam.
- (ee) Mebutamate.
- (ff) Medazepam.
- (gg) Meprobamate.
- (hh) Methohexital.
- (ii) Methylphenobarbital (mephobarbital)
- (jj) Midazolam.
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- (ll) Nitrazepam.
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- (nn) Oxazepam.
- (oo) Oxazolam.
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- (qq) Petrichloral.
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- (uu) Quazepam.
- (vv) Temazepam.
- (ww) Tetrazepam.
- (xx) Triazolam.
- (yy) Zaleplon.
- (zz) Zolpidem.

(2) Unless specifically excepted, a material, compound, mixture, or preparation that contains any quantity of fenfluramine having a potential for abuse associated with an effect on the central nervous system, including its salts, isomers, whether optical, position, or geometric, and the salts of such isomers when the existence of such salts, isomers, and the salts of isomers is possible, is included in schedule 4.

(3) Unless specifically excepted, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system, including its salts, isomers, whether optical, position, or geometric, and the salts of such isomers when the existence of such salts, isomers, and the salts of isomers is possible within the specific chemical designation, is included in schedule 4:

- (a) Cathine ((+)-norpseudoephedrine).
- (b) Dexfenfluramine.
- (c) Diethylpropion.
- (d) Fencamfamin.
- (e) Fenproporex.
- (f) Mazindol.
- (g) Mefenorex.
- (h) Phentermine.
- (i) Pemoline, including organometallic complexes and chelates thereof.
- (j) Pipradrol.
- (k) Sibutramine.
- (l) SPA((-)-1-dimethylamino-1,2-diphenylethane).

(4) Unless specifically excepted or unless listed in another schedule, any natural compound, mixture, or prescription which contains butorphanol, including its optical isomers and its salts, is included in schedule 4.

(5) Chloral hydrate is designated as an exempt chemical preparation for industrial use when packaged in a sealed, oxygenfree environment under nitrogen pressure and safeguarded against exposure to air.

(6) Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation containing limited quantities of not more than 1 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit or any salts thereof is included in schedule 4.

R 338.3125 Schedule 5; narcotics added to nonnarcotic compounds.

Rule 25. (1) Schedule 5 includes the drug buprenorphine by whatever official, common, usual, chemical, or brand name designated.

(2) A compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or salts thereof, which includes 1 or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation a valuable medicinal quality other than that possessed by the narcotic drug alone, is included in schedule 5:

- (a) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams, and not more than 10 milligrams per dosage unit.
- (b) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams, and nor more than 4 milligrams per dosage unit.
- (c) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams, and not more than 5 milligrams per dosage unit.
- (d) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams, and nor more than 5 milligrams per dosage unit.
- (e) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.
- (f) Not more than 0.5 milligram of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit.

(3) Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of either of the following substances which have a stimulate effect on the central nervous system, including its salts, isomers, and salts of isomers, is included in schedule 5:

- (a) Propylhexedrine.
- (b) Pyrovalerone.

R 338.3126 Schedule 5; ephedrine; exceptions.

Rule 26. (1) Except as otherwise provided in subrule (2) of this rule, ephedrine, a salt of ephedrine, an optical isomer of ephedrine, a salt of an optical isomer of ephedrine, or a compound, mixture, or preparation containing ephedrine, a salt of ephedrine, an optical isomer of ephedrine, or a salt of an optical isomer of ephedrine is included in schedule 5.

(2) The following are not included in schedule 5:

(a) A product containing ephedrine, a salt of ephedrine, an optical isomer of ephedrine, or a salt of an optical isomer of ephedrine if the drug product may lawfully be sold over the counter without a prescription under federal law, is labeled and marketed in a manner consistent with the pertinent over the counter tentative final or final monograph, is manufactured and distributed for legitimate medical use in a manner that reduces or eliminates the likelihood for abuse, and is not marketed, advertised, or labeled for an indication of stimulation, mental alertness, energy, weight loss, appetite control, or muscle enhancement and if the drug product is 1 of the following:

(i) A solid dosage form, including but not limited to a soft gelatin caplet, that combines as active ingredients not less than 400 milligrams of guaifenesin and not more than 25 milligrams of ephedrine per dose, packaged in blister packs with not more than 2 tablets or caplets per blister.

(ii) An anorectal preparation containing not more than 5% ephedrine.

(b) A food product or a dietary supplement containing ephedrine, if the food product or dietary supplement meets all of the following criteria:

(i) It contains, per dosage unit or serving, not more than the lesser of 25 milligrams of ephedrine alkaloids or the maximum amount of ephedrine alkaloids provided in applicable regulations adopted by the United States food and drug administration and contains no other controlled substance.

(ii) It does not contain hydrochloride or sulfate salts of ephedrine alkaloids.

(iii) It is packaged with a prominent label securely affixed to each package that states all of the following:

(A) The amount in milligrams of ephedrine in a serving or dosage unit.

(B) The amount of the food product or dietary supplement that constitutes a serving or dosage unit.

(C) That the maximum recommended dosage of ephedrine for a healthy adult human is the lesser of 100 milligrams in a 24-hour period or the maximum recommended dosage or period of use provided in applicable regulations adopted by the United States food and drug administration.

(D) That improper use of the product may be hazardous to a person's health.

R 338.3127 Exclusions for nonnarcotic substances which are not scheduled.

Rule 27. (1) A nonnarcotic substance which, under the federal food, drug, and cosmetic act of 1938, 21 U.S.C. §301 et seq., may be lawfully dispensed without a prescription is excluded from all schedules pursuant to the provisions of section 7208(2) of the act. A substance which contains 1 or more controlled substances in such a proportion or concentration to vitiate the potential for abuse is an excluded substance.

(2) An excluded substance is a deleterious drug as defined in section 7104(6) of the act and may only be manufactured, distributed, or dispensed by a person who is licensed to manufacture, distribute, or dispense a controlled substance under the act.

PART 3. LICENSES

R 338.3132 Activities requiring separate licenses.

Rule 32. (1) The following activities are deemed to be independent of each other, shall be conducted under separate licenses, and shall comply with all of the requirements and duties prescribed by law for persons who are licensed to engage in such coincidental activities:

(a) Manufacturing and distributing a controlled substance. A person who is licensed to manufacture a controlled substance listed in schedules 2 to 5 may conduct chemical analysis and research with a substance that is listed in the schedules.

(b) Dispensing a controlled substance listed in schedules 2 to 5. A physician who is licensed to prescribe or dispense controlled substances listed in schedules 2 to 5 may conduct research with those substances.

(c) Conducting research and instructional activity with a controlled substance listed in schedule 1 as follows:

(i) A person who is licensed to conduct research with controlled substances listed in schedule 1 may do both of the following:

(A) Manufacture the substances as set forth in the research protocol that is filed and approved by the federal food and drug administration and the drug enforcement administration (DEA) pursuant to the provisions of 21 C.F.R. §1301.18 and submitted with the application for licensure. The Code of Federal Regulations, Title 21, Food and Drugs, part 1301, containing §1301.18 is available via the Internet at web-site <http://www.access.gpo.gov/nara/cfr>. Printed copies may be purchased from the United States Government Printing Office, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, USA, by calling toll free at 1-866-512-1800, or via the Internet at web-site: <http://bookstore.gpo.gov> at a cost of \$20.00 as of the time of adoption of these amendments. Printed copies of 21 C.F.R. §1301.18 also are available for inspection and for distribution to the public at cost at the Department of Consumer and Industry Services, Bureau of Health Services, Ottawa Building, - First Floor, 611 West Ottawa, Lansing, MI 48909.

(B) Distribute the substances to other persons who are licensed or authorized to conduct research or chemical analysis with the schedule 1 substances.

(ii) A licensed physician who is authorized to conduct research with schedule 1 substances under federal law may conduct research with those substances, upon furnishing the administrator with evidence of that federal authorization. A separate license is not required for this research activity.

(d) Conducting research with a controlled substance listed in schedules 2 to 5. A person who is licensed or authorized to conduct research with the controlled substances listed in schedules 2 to 5 may conduct chemical analysis with the substances listed in those schedules, manufacture the substances if, and to the extent that, such manufacture is set forth in a statement filed with the application for licensure, distribute the substances to other persons who are licensed or authorized to conduct research, chemical analysis, or instructional activity with the substances, and conduct instructional activities with the substances.

(e) Conducting instructional activities with a controlled substance listed in schedules 2 to 5.

(f) Prescribing, dispensing, or administering a controlled substance to a drug-dependent person in a drug treatment and rehabilitation program.

(g) Conducting chemical analysis with a controlled substance listed in any schedule. A person who is licensed or authorized to conduct chemical analysis with all controlled substances may manufacture such substances for analytical or instructional purposes, distribute the substances to other persons who are licensed or authorized to conduct chemical analysis, instructional activity or research with the substances, and conduct instructional activities with the substances.

(2) A separate license is required for each principal place of business or professional practice. A principal place of business or a professional practice is the physical location where controlled substances are manufactured, grown, cultivated, processed, or by other means produced or prepared, distributed, prescribed, stored, or dispensed by a licensee.

R 338.3133 Rescinded.

R 338.3134 Rescinded.

R 338.3136 Information in applications.

Rule 36. (1) A researcher shall include, in his or her application for licensure, all of the following information:

- (a) His or her credentials to conduct the proposed research.
- (b) The protocol and description of the nature of the proposed research.
- (c) A list of the controlled substances and doses to be used.

(2) A person who conducts instructional activity shall include, with his or her application for licensure, all of the following information:

- (a) His or her credentials to conduct the proposed instructional activity.
- (b) A course outline for the proposed instructional activity.
- (c) A list of the controlled substances and doses to be used.

R 338.3138 Animal euthanasia; permit application; records; storage of pentobarbital; facility inspections; facility registration; personnel training; written administration procedures.

Rule 38. (1) A dog pound, class b dealer, or animal shelter licensed or registered by the Michigan department of agriculture pursuant to 1969 PA 287, MCL 287.331 et seq., may apply for a permit to store, handle, and use a commercially prepared, pre-mixed solution of sodium pentobarbital to practice euthanasia on animals.

(2) A dog pound, class b dealer, or animal shelter holding a current registration or license issued by the Michigan department of agriculture shall apply, on a form provided by the administrator, for a permit to store, handle, and use sodium pentobarbital. The application submitted to the administrator shall contain all of the following information:

- (a) The name, address, and department of agriculture registration number of the dog pound, class b dealer or animal shelter.
 - (b) The name, address, and biographical data of the person who is in charge of the day-to-day operation of the dog pound, class b dealer, or animal shelter and who is responsible for the storage and recordkeeping of the sodium pentobarbital.
 - (c) The name, address, and biographical data of the person responsible for designating employees who will practice euthanasia pursuant to the act.
 - (d) The name and address of each individual certified to have received a minimum of 8 hours of training in the use of sodium pentobarbital to practice euthanasia, and the name of the veterinarian who trained each individual.
- (3) Records of the receipt and dispensation of sodium pentobarbital shall be maintained at the animal shelter or dog pound. These records shall indicate all of the following information:
- (a) The date of acquisition.
 - (b) The quantity acquired.
 - (c) The trade name.
 - (d) The lot number and strength of a commercially prepared, pre-mixed solution of sodium pentobarbital.

- (e) A complete record of the dispensation of the pre-mixed solution for the purpose of practicing euthanasia, showing the quantity used, time, date, and the name of the administering individual.
- (4) Records of receipt shall be kept on drug enforcement administration (DEA) order forms pursuant to 21 C.F.R. part 1305. The Code of Federal Regulations, Title 21, Food and Drugs, part 1305 is available via the Internet at web-site <http://www.access.gpo.gov/nara/cfr>. Printed copies may be purchased from the United States Printing Office, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA, 15250-7954, USA, by calling toll free at 1-866-512-1800, or via the Internet at web-site: <http://bookstore.gpo.gov> at a cost of \$20.00 as of the time of adoption of these amendments. Printed copies of 21 C.F.R. part 1305 also are available for inspection and for distribution to the public at cost at the Department of Consumer and Industry Services, Bureau of Health Services, Ottawa Building – First Floor, 611 West Ottawa, Lansing, MI 48909.
- (5) Records of dispensation shall be kept pursuant to 21 C.F.R. part 1304. The Code of Federal Regulations, Title 21, Food and Drugs, part 1304 is available via the Internet at web-site <http://www.access.gpo.gov/nara/cfr>. Printed copies may be purchased from the United States Government Printing Office, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA, 15250-7954, USA, by calling toll free at 1-866-512-1800, or via the Internet at web-site: <http://bookstore.gpo.gov> at a cost of \$20.00 as of the time of adoption of these amendments. Printed copies of 21 C.F.R. part 1304 also are available for inspection and distribution to the public at cost at the Department of Consumer and Industry Services, Bureau of Health Services, Ottawa Building – First Floor, 611 West Ottawa, Lansing, MI 48909.
- (6) Records shall be kept for a period of 2 years and shall be available for inspection by the department.
- (7) The controlled substance covered by this permit shall be a commercially prepared, pre-mixed solution of sodium pentobarbital.
- (8) All stocks of the sodium pentobarbital shall be stored in a securely locked, substantially constructed cabinet located in the facility, with access limited to the persons described in subrule (2)(b) and (d) of this rule.
- (9) An inspection of the facility may be conducted by the department before issuance of the permit. Unannounced additional inspections may be made from time to time thereafter.
- (10) The permit issued by the administrator shall show the name and address of the facility and the name of the person in charge of the day-to-day operation. This permit is not transferable. The administrator shall be notified, in writing, within 10 days of a change in the person in charge of the day-to-day operation.
- (11) The facility shall promptly obtain a registration from the United States department of justice, drug enforcement administration, or its successor agency, before stocking, purchasing, and using sodium pentobarbital to practice euthanasia. Purchases shall be made in accordance with procedures established by the drug enforcement agency.
- (12) If the dog pound, class b dealer, or animal shelter issued a permit pursuant to section 7333(8) of the act, does not have in its employ an individual trained as described in section 7333(8), then the dog pound, class b dealer, or animal shelter shall immediately notify the administrator and shall securely store, and cease to administer, any commercially-prepared, pre-mixed solution of sodium pentobarbital until the administrator is notified that either of the following has occurred:
- (a) An individual trained as described in section 7333(8) of the act has been hired by the facility.
- (b) An employee of the facility has been trained as described in section 7333(8) of the act .
- (13) The administrator shall be notified of any change in the name and address of the individual trained as described in section 7333(8) of the act within 10 days of such change.
- (14) The list of persons certified to have received training and the veterinarians who trained them shall be updated in writing every 6 months, kept on site and available for inspection.

(15) The dog pound, class b dealer or animal shelter shall establish and maintain written procedures for the administration of a commercially prepared, pre-mixed solution of sodium pentobarbital. These procedures shall be kept on the licensed premises and shall be available for inspection.

R 338.3139 Animal euthanasia; personnel training.

Rule 39. (1) An employee of a dog pound, class b dealer, or animal shelter who will practice euthanasia on animals shall be able to document completion of a minimum of 8 hours of training given by a licensed veterinarian in the use of sodium pentobarbital.

(2) Training of the individual shall be under the instruction of a doctor of veterinary medicine currently licensed in this state. The training shall include both lecture and self-study instruction and clinical experience. At a minimum, the individual shall demonstrate competency to give inter-cardial, intraperitoneal, and intravenous injections, in addition to making a positive determination of death.

(3) Upon receipt of notification of the individual's successful completion of the minimum 8 hours of training from the licensed veterinarian/instructor, the department shall issue a permit to the dog pound or animal shelter. Proficiency may be shown by completion of a self-assessment program or other evaluation by the board of veterinary medicine. The permit is subject to the provisions of section 7334 of the act.

(4) Continued proficiency and compliance with written procedures, in addition to compliance with all rules and regulations, may be monitored by the administrator or the board of veterinary medicine.

PART 4. SECURITY

R 338.3141 Thefts and diversions.

Rule 41. (1) An applicant or licensee shall provide effective controls against theft and diversion of controlled substances.

(2) A licensee shall determine that a person is licensed to possess a controlled substance before distributing the substance to the person.

(3) Within 10 days following discovery of a theft or loss of any controlled substance, a licensee shall notify the administrator of the theft or loss by submitting a United States drug enforcement administration theft and loss report form 106, a copy thereof, or equivalent document, whether or not the controlled substance is subsequently recovered or the responsible party is identified and action is taken against the party, and whether or not it is also reported to the DEA.

R 338.3143 Storage of controlled substances.

Rule 43. (1) A controlled substance that is listed in schedule 1 of R 338.3111 to R 338.3114a shall be stored in a securely locked, substantially constructed cabinet that is anchored to a wall or the floor.

(2) A controlled substance that is listed in schedules 2, 3, 4, and 5 of R 338.3116 to R 338.3126 shall be stored in a securely locked, substantially constructed cabinet, room, or cart. However, in a pharmacy, the controlled substances may be dispersed throughout the stock of noncontrolled substances in a manner to obstruct the theft or diversion of controlled substances.

(3) Parenteral dosage forms which contain amobarbital, secobarbital, pentobarbital, or any salt of any of these drugs and which are required by the federal food, drug, and cosmetic act of 1938, 21 U.S.C. §301 et seq., or by regulations promulgated thereunder, to be kept under refrigeration may be stored in compliance with the schedule III regulations set forth in the provisions of 21 C.F.R. §§1301.71 to 1301.76. The Code of Federal Regulations, Title 21, Food and Drugs, part 1301, containing 21 C.F.R. §§1301.71 to 1301.76, is available via the Internet at web-site <http://www.access.gpo.gov/nara/cfr>. Printed copies may be purchased from the United

States Government Printing Office, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, USA, by calling toll free at 1-866-512-1800, or via the Internet web-site: <http://bookstore.gpo.gov> at the cost of \$20.00 as of the time of adoption of these amendments. Printed copies of 21 C.F.R. §§1301.71 to 1301.76 also are available for inspection and for distribution to the public at cost at the Department of Consumer and Industry Services, Bureau of Health Services, Ottawa Building – First Floor, 611 West Ottawa, Lansing, MI 48909.

(4) This rule applies to all licensees.

R 338.3145 Employees; disqualification.

Rule 45. (1) The following individuals shall not be employed or otherwise utilized, with or without compensation, by a person who is licensed by the administrator pursuant to section 7303, 17711, or 17748 of the act in any manner or capacity that allows the individuals access to controlled substances:

(a) An individual who the licensee knows, or should reasonably know, to be a substance abuser as defined in section 6107 of the act. This subdivision does not apply to a licensee enrolled in the health professional recovery program under a current monitoring agreement.

(b) An individual whose controlled substance license is suspended, revoked, or denied.

(c) An individual whose license issued by this state or another state is under suspension or revoked in this state or another state for a violation that involves controlled substances.

(d) An individual who has been convicted of a crime that involves controlled substances and who is currently under sentence for that conviction.

(2) Delegation pursuant to section 16215 of the act shall not be made by a licensed person to a licensed or unlicensed individual unless the delegation is in compliance with this rule.

PART 5. RECORDS

R 338.3151 Inventories.

Rule 51. (1) A licensee shall make and maintain a complete and accurate inventory of all stocks of controlled substances.

(2) The inventory shall contain a complete and accurate record of all controlled substances in the possession or control of the licensee on the date the inventory is taken as follows:

(a) If the substance is listed in schedule 1 or 2, then the licensee shall make an exact count or measure of the contents.

(b) If the substance is listed in schedule 3, 4, or 5, then the licensee shall make an estimated count or measure of the contents, but if the container holds more than 1,000 dosage units, such as tablets or capsules, then the licensee shall make an accurate account of the contents.

(3) A licensee shall make a separate inventory for each licensed location on the date that he or she first engages in the activity covered by his or her license. The beginning inventory record for a licensed location shall be kept at the licensed location and a copy shall be forwarded to the administrator upon request.

(4) A licensee shall indicate on the inventory record whether the inventory was taken as of the opening or closing of the day that the inventory is taken.

(5) A licensee shall maintain the inventory in a written, typewritten, or printed form. The inventory taken by use of an oral recording device shall be promptly transcribed.

(6) A licensee shall sign and date the inventory record.

(7) A licensee's printed name, address, and DEA number shall be recorded on the inventory.

(8) Schedule 2 drugs shall be separated on the inventory from all other drugs.

R 338.3152 Annual and changed inventories.

Rule 52. (1) Pursuant to the provisions of section 7321 of the act, an inventory shall be taken annually of all stocks of controlled substances in the possession or control of the licensee, in accordance with the requirements of R 338.3151.

(2) On the effective date of a rule by the administrator or DEA adding a controlled substance to a schedule, which substance was not previously listed in any schedule, a licensee who possesses the substance shall take an inventory of all stocks of the substance on hand and incorporate it in the current inventory. Thereafter, the substance shall be included in each inventory taken.

R 338.3153 Invoices, acquisition, dispensing, administration, and distribution records.

Rule 53. (1) A licensee shall keep and make available for inspection all records for controlled substances, including invoices and other acquisition records, but excluding sales receipts, however a copy of each receipt shall be retained for 90 days. Acquisition records, except for executed DEA 222 order forms, may be kept at a central location, subject to the approval of the administrator. The approval shall specify the nature of the acquisition records to be kept and the exact location where the acquisition records will be kept. All records shall be readily retrievable within 48 hours.

(2) A licensee shall maintain acquisition records as follows:

(a) Invoices and other acquisition records of all controlled substances listed in schedules 1 and 2 of R 338.3111 to R 338.3119a shall be maintained in a separate file.

(b) Invoices and other acquisition records of all controlled substances listed in schedules 3, 4, and 5 of R 338.3120 to R 338.3126 shall be maintained in a separate file or in such form so that the information required is readily retrievable from the ordinary acquisition records maintained by the dispenser.

(3) A licensee shall initial the invoice and indicate the date that the controlled substances are received.

(4) A licensee shall keep a record of all controlled substances dispensed by him or her.

(5) A prescriber shall keep a record separate from the patient chart which contains all of the following information for controlled substances dispensed or administered by the prescriber:

(a) Name of patient.

(b) Name of substance and strength.

(c) Quantity of substance.

(d) Date dispensed or administered.

(e) Name of individual who dispensed or administered.

(6) Except in medical institutions, patients' original prescriptions shall be sequentially numbered and maintained in chronological order as follows:

(a) A separate file shall be maintained for dispensed substances listed in schedule 2 of R 338.3116 to R 338.3119a.

(b) A separate file shall be maintained for dispensed substances listed in schedules 3, 4, and 5 of R 338.3120 to R 338.3126.

(7) Records of controlled substances distributed to another licensee, shall include all of the following information and be maintained in the appropriate file described in subrule (2) of this rule or in a separate record that is available for inspection:

(a) Name, address, and dea number of receiver.

(b) Name, address, and dea number of supplier.

(c) Name and quantity of controlled substances distributed.

(d) Date distributed.

A DEA 222 order form shall be used for schedule 2 drugs.

(8) Complete controlled substances records shall be maintained or controlled by the licensee for 2 years, except for controlled substance prescriptions, which shall be maintained for 5 years from the last date of dispensing.

R 338.3153a Medication orders for patients in medical institutions.

Rule 53a. (1) Prescriptions for controlled substance medications to be dispensed for administration to an inpatient in a medical institution shall contain all of the following information:

- (a) The patient's name.
 - (b) The prescriber's name, address, and drug enforcement administration (DEA) number. In place of including the address and DEA number on each medication order, the pharmacy may maintain a separate list of authorized prescribers. The list shall contain the prescriber's name, address, and DEA number.
 - (c) The prescriber's signature.
 - (d) The name, dose, and frequency of administration of the medication.
 - (e) The date of the medication order.
- (2) If alternative therapy has been evaluated and the immediate administration of a controlled substance, including a schedule 2 medication, is necessary for the proper treatment of a patient, then a pharmacist may dispense the controlled substance for administration to the inpatient if all of the following conditions are satisfied:
- (a) The oral order of the prescriber is committed to a written or electronic order in the patient chart by a nurse licensed under part 172 of the act, a physician's assistant licensed under part 170 or 175 of the act, or a pharmacist licensed under part 177 of the act who has communicated directly with the prescriber.
 - (b) The order states the name of the prescriber and the name of the nurse, physician's assistant, or pharmacist who received the verbal order.
 - (c) The order is forwarded to the pharmacy.
 - (d) The prescriber signs the original order at the time of next visit or within 7 days.
- (3) Original orders shall be preserved for a period of 5 years from the date of patient discharge and shall be readily retrievable for any specific time period. If patient records are kept electronically, then a printed copy shall be immediately available for a current inpatient and within 48 hours upon request of an authorized agent of the board for any patient of the previous 5 years.

R 338.3154 Medication records in medical institutions.

Rule 54. (1) A patient's chart shall constitute a record of medications ordered for, and actually administered to, a patient of medical institutions.

(2) Medication records are required for all controlled substances listed in schedules 2, 3, 4, and 5 of R 338.3116 to R 338.3126. At a minimum, these records shall include all of the following information:

- (a) The number of doses of controlled substances purchased.
 - (b) The number of doses dispensed to individual patients or distributed to nursing stations or both.
 - (c) The number of doses administered.
 - (d) The number of doses dispensed, but not administered, to the patient.
 - (e) An annual physical inventory and status of any discrepancies between the inventory and the records of acquisition and the dispensing records.
- (3) If the controlled substance is not dispensed to an individual patient, all of the following provisions shall be complied with:
- (a) Medication records for those controlled substances in schedules 2, 3, 4, and 5 of R 338.3116 to R 338.3126 shall be maintained.
 - (b) Distribution of a controlled substance to a nursing unit shall not be more than 25 doses per container.

(c) A distribution record for each multiple of 25 doses shall be used to account for delivery to a nursing unit. The record shall include all of the following information:

- (i) The name and dose of the controlled substance.
- (ii) The quantity of the substance.
- (iii) The date of delivery.
- (iv) The location of the nursing unit.
- (v) The name of the distributing pharmacy and address if a different location from the medical institution.
- (vi) Name of distributing pharmacist.
- (vii) The name of the individual on the nursing unit who receives the substance.

(d) A proof of use record shall be maintained to account for all doses of an administered substance. The record shall include all of the following:

- (i) The name of the substance.
- (ii) The dose administered.
- (iii) The date and time a dose was administered.
- (iv) The name of the patient.
- (v) The signature of the individual who administered the dose.

(4) The use of mechanical devices in medical institutions is contingent upon any approval which may be required by rule. If a controlled substance or any medication or device is dispensed from an automated device, then documentation as to the type of equipment, serial numbers, content, policies, procedures, and location within the facility shall be maintained on-site in the pharmacy for review by the department. The documentation shall include at least all of the following information:

- (a) Name and address of the pharmacy or facility responsible for the operation of the automated device.
- (b) Manufacturer name and model number.
- (c) Quality assurance policy and procedure to determine continued appropriate use and performance of the automated device.
- (d) Policy and procedure for system operation that includes all of the following:
 - (i) Safety.
 - (ii) Security.
 - (iii) Accuracy.
 - (iv) Patient confidentiality.
 - (v) Access.
 - (vi) Controlled substances.
 - (vii) Data retention or archival.
 - (viii) Definitions.
 - (ix) Downtime procedures.
 - (x) Emergency procedures.
 - (xi) Inspection.
 - (xii) Installation requirements.
 - (xiii) Maintenance.
 - (xiv) Medication security.
 - (xv) Quality assurance.
 - (xvi) Medication inventory.
 - (xvii) Staff education and training.
 - (xviii) System set-up and malfunction.

- (xix) List of medications qualifying for emergency dose removal without pharmacist prior review of the prescription or medication order.
- (5) Automated devices shall have adequate security systems and procedures, evidenced by written pharmacy policies and procedures that document all of the following information:
- (a) Prevention of unauthorized access or use.
 - (b) Compliance with any applicable federal and state regulations.
 - (c) Maintenance of patient confidentiality.
- (6) Records and electronic data kept by automated devices shall meet all of the following requirements:
- (a) All events involving access to the contents of the automated devices shall be recorded electronically.
 - (b) Records shall be maintained by the pharmacy and shall be readily retrievable. The records shall include all of the following information:
 - (i) The unique identity of device accessed.
 - (ii) Identification of the individual accessing the device.
 - (iii) The type of transaction.
 - (iv) The name, strength, dosage form and quantity of the drug accessed.
 - (v) The name of the patient for whom the drug was ordered.
 - (vi) Identification of the pharmacist checking for the accuracy of the medications to be stocked or restocked in the device.
 - (vii) If the pharmacist delegates the stocking of the device, then technologies shall be in place and utilized to ensure that the correct drugs are stocked in their appropriate assignment utilizing a board-approved error prevention technology that is in compliance with R 338.490. This subdivision takes effect 1 year after the effective date of this amendatory rule.
 - (viii) Additional information as the pharmacist-in-charge may deem necessary.
- (7) For medication removed from the system for on-site patient administration, the system shall document all of the following information:
- (a) The name of the patient.
 - (b) The date and time medication was removed from the device.
 - (c) The name, initials, or other unique identifier of the person removing the drug.
 - (d) The name, strength, and dosage form of the drug. The documentation may be on paper or electronic medium.
- (8) The automated device shall provide a mechanism for securing and accounting for medications once removed from and subsequently returned to, the automated device return bin. Neither medication nor a device may be returned directly to the system for immediate reissue or reuse. Medication or devices once removed shall not be reused or reissued, except as indicated in R 338.486(7).
- (9) The automated device shall provide a mechanism for securing and accounting for wasted or discarded medications.
- (10) The internal quality assurance documentation for the use and performance of the automated device shall include at least all of the following:
- (a) Safety monitors that include wrong medications removed and administered to patient.
 - (b) Accuracy monitors that include filling errors and wrong medications removed.
 - (c) Security monitors that include unauthorized access, patients not in the system, system security breaches, and controlled substance audits.
 - (d) Policies that establish corrective measures taken to address the problems and errors identified in the internal quality assurance program and its integration to the overall quality assurance policies.

(11) Policy and procedures for the use of the automated device shall include a requirement for pharmacist review of the prescription or medication order before system profiling or removal of any medication from the system for immediate patient administration. This subrule does not apply to the following situations:

(a) The system is being used as an after-hours cabinet for medication dispensing in the absence of a pharmacist as defined in R 338.486(4)(i).

(b) The system is being used in place of an emergency kit as defined in R 338.486(4)(c).

(c) The system is being accessed to remove medication required to treat the emergent needs of a patient as defined in R 338.486(4)(c). A sufficient quantity to meet the emergent needs of the patient may be removed until a pharmacist is available to review the medication order.

(d) In each of the situations specified in subdivisions (a) to (c) of this subrule, a pharmacist shall review the orders and authorize any further dispensing within 48 hours.

(12) A copy of all pharmacy policies and procedures related to the use of an automated device shall be maintained at the pharmacy responsible for the device's specific location and be available for board of pharmacy review.

(13) A controlled substance that is maintained at a nursing unit shall be stored in a securely locked cabinet or medication cart that is accessible only to an individual who is responsible for the administration or distribution of the medication.

(14) Records and documents required under this rule shall be maintained or controlled by the pharmacist in charge for 2 years.

(15) An individual who is responsible for administering a controlled substance or A portion thereof shall record the quantity, disposition, and an explanation of the destruction of the controlled substance on the proper accountability record. If the institution has a policy that reflects current practice standards and delineates the method of destruction, an explanation would only be required if policy was not followed.

PART 6. DISPENSING AND ADMINISTERING PRESCRIPTIONS

R 338.3161 Prescriptions.

Rule 61. (1) A prescription that is issued for a controlled substance shall be dated and signed when issued and shall contain all of the following information:

(a) The full name and address of the patient for whom the substance is being prescribed.

(b) The prescriber's DEA registration number, printed name, address, and professional designation.

(c) The drug name, strength, and dosage form.

(d) The quantity prescribed. For a prescription received in writing, the prescription shall contain the quantity in both written and numerical terms. A written prescription is in compliance if it contains preprinted numbers representative of the quantity next to which is a box or line the prescriber may check.

(e) The directions for use.

(f) In addition, if the prescription is for an animal, then the species of the animal and the full name and address of the owner.

(2) Where a written prescription is required, the prescription shall be written with ink or an indelible pencil, or prepared using a printer and shall be signed by the prescriber.

(3) A prescription may be prepared by an agent of the prescriber for the signature of the prescriber, but, pursuant to the act, the prescriber is liable if the prescription does not conform to these rules. A pharmacist who dispenses a controlled substance pursuant to a prescription not prepared in the form required by these rules is liable pursuant to the act.

(4) If the controlled substance prescription or order in a medical institution is issued pursuant to delegation under R 338.2304, R 338.2305, R 338.108a, or R 338.108b, then the printed name of the delegatee, the licensure designation, the delegating prescriber, and the signature of the delegatee shall be on the written prescription. In medical facilities, orders shall contain the signatures of the delegatee and the printed name of the delegating prescriber.

(5) A prescription shall not be issued by a prescriber to obtain a stock of a controlled substance for the purpose of dispensing or administering the substance to patients.

R 338.3162 Dispensing by pharmacists.

Rule 62. (1) A controlled substance shall be dispensed by a pharmacist or a pharmacy intern in the presence, and under the immediate supervision, of a pharmacist.

(2) Except as provided by R 338.3162a, a pharmacist may dispense a controlled substance which is listed in schedules 3 to 5 and which is a prescription drug pursuant to the provisions of the federal food, drug, and cosmetic act of 1991, 21 U.S.C. §201.100(b)(i) et seq., only pursuant to a written, electronically transmitted, or oral order of a prescriber that contains all of the required information under R 338.3161, except that the signature of the prescriber is not required if the controlled substance is obtained pursuant to an oral order.

(3) If an oral order for a controlled substance listed in schedule 3 to 5 is transmitted by the prescriber's agent under delegation, then all of the following shall be recorded on the prescription generated at the pharmacy:

(a) The information required by R 338.3161.

(b) The transmitting agent's identity.

(c) The individual who received the prescription at the pharmacy.

(4) Only an order that is issued in the usual course of professional treatment or in the course of legitimate and authorized research is a prescription.

R 338.3162a Electronic transmission of prescriptions; "electronically transmitted prescription drug order" defined.

Rule 62a. (1) As used in this rule, "electronically transmitted prescription drug order" means a prescription drug order that is communicated from the prescriber directly to the pharmacy by electronic means, so that the data cannot be altered, modified, extracted, viewed, or manipulated in the transmission process.

(2) An electronically transmitted prescription order shall be transmitted to the pharmacy of the patient's choice and shall occur only at the option of the patient.

(3) A pharmacist may dispense an electronically transmitted prescription drug order only if both of the following conditions are satisfied:

(a) The electronically transmitted prescription drug order includes all of the following information:

(i) The name and address of the prescriber.

(ii) An electronic signature or other board-approved means of ensuring prescription validity.

(iii) The prescriber's telephone number for verbal confirmation of the order.

(iv) The time and date of the transmission.

(v) The name of the pharmacy intended to receive the transmission.

(vi) All other information that is required to be contained in a prescription under the provisions of R 338.3161.

(b) The pharmacist exercises professional judgment regarding the accuracy or authenticity of the transmitted prescription. Technological devices shall not be used to circumvent any applicable prescription documentation and verification requirement.

(4) An electronically transmitted prescription drug order that meets the requirements of subrule (3) of this rule shall be deemed to be the original prescription.

(5) This rule does not apply to the use of electronic equipment to transmit prescription orders within inpatient medical institutions.

R 338.3163 Drug-dependent person; prescribing, dispensing, and administering controlled substance.

Rule 63. (1) A prescription shall not be issued for a controlled substance nor shall a controlled substance be dispensed or administered to a drug dependent person for the purpose of continuing his or her drug dependency, except as follows:

(a) A prescriber, licensed in accordance with federal and state law to conduct the drug treatment of a drug dependent person in a program may prescribe a controlled substance for the purpose of legitimate treatment of the drug-dependent person.

(b) A controlled substance may be administered or dispensed, or both, by a dispenser, directly to a drug-dependent person for the purpose of continuing his or her dependence who is enrolled in a drug treatment and rehabilitation program.

(2) A controlled substance may be prescribed and dispensed in an acute care hospital to continue maintenance treatment for drug dependency for a patient whose hospitalization is for treatment of a medical condition other than addiction. The enrollment of the patient in an approved maintenance treatment program shall be verified.

R 338.3167 Dispensing schedule 5 substances without prescriptions.

Rule 67. (1) A pharmacist may, without a prescription, dispense a controlled substance listed in schedule 5 which is not a prescription medication as determined under the federal food, drug, and cosmetic act, 21 U.S.C. §§301 to 392, if all of the following provisions are complied with:

(a) The dispensing pharmacist has determined it is to be used for a medical purpose.

(b) Not more than 240 cc (8 ounces) or 48 solid doses of a substance containing opium or more than 120 cc (4 ounces) or 24 solid doses of any other substance listed in schedule 5 is distributed at retail to the same purchaser in any single 48-hour period.

(c) The purchaser is not less than 18 years of age.

(d) The pharmacist requires a purchaser not known to the pharmacist to furnish suitable identification, including proof of age where appropriate.

(2) When a pharmacist dispenses a controlled substance listed in schedule 5, he or she shall affix to the container in which the substance is dispensed a label showing the date, his or her own name, and the name and address of the place of practice in which the substance is dispensed.

(3) A record of the dispensing of controlled substances listed in schedule 5 shall be maintained by the pharmacist. The record shall be immediately retrievable and may be maintained in the same manner as required for schedule 5 prescription medication. The record shall contain all of the following information:

(a) The name and address of the patient.

(b) The name and address of the purchaser if different from the patient.

(c) The name and quantity of substance purchased.

(d) The date purchased.

(e) The name or initials of the pharmacist or pharmacy intern who dispensed the substance.

(f) The medical purpose for which the medication is being used as determined by the pharmacist.

R 338.3168 Refilling of prescriptions.

Rule 68. (1) A prescription for a controlled substance listed in schedule 2 shall not be refilled.

(2) A prescription for a controlled substance listed in schedules 3 and 4 shall not be refilled more than 6 months after the issuance date of the prescription and shall not be refilled more than 5 times. Renewal of the prescription shall be effected and recorded in the same manner as an original prescription.

(3) A partial filling of a controlled substance prescription in schedules 3, 4, and 5 is permissible if all of the following provisions are complied with:

(a) Each partial filling is recorded in the same manner as a refilling.

(b) The total quantity dispensed in all partial fillings does not exceed the total quantity prescribed.

(c) No dispensing occurs after 6 months after the date on which the prescription was issued for schedules 3 and 4.

(4) A prescription for a controlled substance listed in schedule 5 may be refilled only as expressly authorized by the prescriber on the prescription; if no authorization is indicated, then the prescription shall not be refilled.

R 338.3169 Labels.

Rule 69. In addition to all other labeling requirements, a practitioner who dispenses a controlled substance prescription shall affix to the container any cautionary statement required by 21 C.F.R. §290.5. The Code of Federal Regulations, Title 21, Food and Drugs, part 290, containing 21 C.F.R. §290.5, is available via the Internet at web-site <http://www.access.gpo.gov/nara/cfr>. Printed copies may be purchased from the United State Government Printing Office, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954 USA, by calling toll free at 1-866-512-1800, or via the Internet at web-site: <http://bookstore.gpo.gov> at a cost of \$16.00 as of the time of adoption of these amendments. Printed copies of 21 C.F.R. §290.5 also are available for inspection and distribution to the public at cost at the Department of Consumer and Industry Services, Bureau of Health Services, Ottawa Building – First Floor, 611 West Ottawa, Lansing, MI 48909.

R 338.3170 Dispensing and administering controlled substances by prescribers.

Rule 70. (1) A prescriber in the course of his or her professional practice only, may dispense or administer, or both, a controlled substance listed in schedules 2 to 5 or he or she may cause them to be administered by an assistant under personal charge supervision.

(2) A prescriber may dispense or administer, or both, in the course of professional practice, a controlled substance listed in schedules 2 to 5, directly to a drug-dependent person for the purpose of continuing the dependence in a drug treatment and rehabilitation program, if the prescriber is appropriately registered under federal law and licensed under state law to treat a drug-dependent person with controlled substances.

(3) A veterinarian, in the course of professional practice only and not for use by a human being, may dispense or administer, or both, a controlled substance listed in schedules 2 to 5 or may cause them to be administered by an assistant or orderly under his or her direction and personal charge supervision.

ADMINISTRATIVE RULES

ORR #2001-061

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

GENERAL INDUSTRY SAFETY STANDARDS

Filed with the Secretary of State on April 2, 2002

These rules take effect 7 days after filing with the Secretary of State

(By authority conferred on the director of the department of consumer and industry services by sections 16 and 21 of 1974 PA 154, and Executive Reorganization Order No. 1996-2, MCL 408.1016, 408.1021, and 445.2001)

R 408.11801, R 408.11803, R 408.11804, R 408.11805, R 408.11806, R 408.11821, R 408.11822, R 408.11824, R 408.11825, R 408.11835, R 408.11841, R 408.11843, R 408.11845, R 408.11847, R 408.11851, R 408.11852, R 408.11853, R 408.11855, R 408.11857, R 408.11859, R 408.11861, R 408.11865, R 408.11871, R 408.11872, and R 408.11875 of the Michigan Administrative Code are amended; R 408.11826 and R 408.11837 of the Michigan Administrative Code are rescinded; and R 408.11807, R 408.11808, R 408.11827, R 408.11833, R 408.11844, R 408.11854, R 408.11873, and R 408.11874 are added to the Code as follows:

PART 18. OVERHEAD AND GANTRY CRANES

GENERAL PROVISIONS

R 408.11801 Scope.

Rule 1801. This part covers the equipment, installation, maintenance, and operation of top running overhead and gantry single and multiple girder cranes in, about, and around places of employment in order to safeguard employees. It does not apply to monorails, railway or truck cranes, mine hoists, conveyors, shovels, drag-line excavators, equipment used on construction jobs, or systems used to transport people.

R 408.11803 Definitions; B to D.

Rule 1803. (1) "Brake" means a device used for retarding or stopping motion by friction or power means.

(2) "Bridge" means that part of a crane consisting of girders, trucks, end ties, footwalks, and the driving mechanism which carries the trolley or trolleys.

(3) "Bumper" means an energy-absorbing device for reducing impact when a moving crane or trolley reaches the end of its permitted travel, or when 2 moving cranes or trolley come in contact.

(4) "Cab" means an operator compartment located on a crane bridge or trolley.

(5) "Cab operated crane" means a crane controlled by an operator in a cab located on the bridge or trolley.

- (6) “Catwalk” means a walkway with handrail and toeboards which are attached to the bridge or trolley, or both, for access purposes.
- (7) “Competent person” means a person who has the necessary experience of the crane and equipment used in the lifting operation to carry out the function satisfactorily, who is capable of identifying an existing or potential hazard in surroundings, or under working conditions, that are hazardous or dangerous to an employee, and who has the authority and knowledge to take prompt corrective measures to eliminate the hazards.
- (8) “Collector shoe” means a contacting device for collecting current from runway or bridge conductors.
- (9) “Conductors, bridge” means the electrical conductors located along the bridge structure of a crane to provide power to the trolley.
- (10) “Conductors, runway” means the electrical conductors located along a crane runway to provide power to the crane.
- (11) “Controller” means a device or group of devices that serves to govern, in a predetermined manner, the power delivered directly to the apparatus to which it is connected.
- (12) “Crane” means a top running overhead or gantry crane.
- (13) “Designated” means selected or assigned by the employer or the employer’s representative as being qualified to perform specific duties.
- (14) “Drag brake” means a brake that provides retarding force without external control.

R 408.11804 Definitions; F to M.

- Rule 1804. (1) “Floor-operated crane” means a top running overhead crane that is controlled by an operator on a floor or independent platform.
- (2) “Footwalk” means a walkway which has a handrail and which is attached to the bridge or trolley for access purposes.
 - (3) “Frequent inspection” means a visual examination by the operator or other designated personnel, with written records required.
 - (4) “Gantry crane” means a crane similar to an overhead crane, except that the bridge for carrying the trolley or trolleys is rigidly supported by 1 or more legs running on a fixed rail or other runway.
 - (5) “Hoist” means a system of power-driven drums, gears, cables, chains, or hydraulic cylinders capable of lifting and lowering a load.
 - (6) “Hooker” means an employee who by using predetermined lift points attaches the load to the hook, in hoisting or setting the load or both.
 - (7) “Hot metal crane” means a crane that transports molten metal.
 - (8) “Limit switch” means a switch that is operated by some part or motion of a power-driven machine or equipment to alter the electric current associated with the machine or equipment.
 - (9) “Load” means the total superimposed weight on a load block or hook.
 - (10) “Load block” means the assembly of hook and shackle, swivel bearing, sheaves, pins, and frame, suspended by the hoisting ropes or chain.
 - (11) “Magnet” means an electromagnetic device carried on a crane hook that picks up the load magnetically.
 - (12) “Main switch” means a switch on a crane controlling the entire power supply to the crane, except that a magnet and convenience outlet circuit may bypass the main switch.
 - (13) “Modified” means a change in design or rating.

R 408.11805 Definitions; O to R.

- Rule 1805. (1) “Overhead crane” means a top running crane that has a movable bridge carrying a movable or fixed hoisting mechanism for lifting and lowering, moving horizontally and traveling on an overhead fixed runway.

- (2) “Periodic inspection” means the inspection of the equipment in place by a designated person, making written records of conditions.
- (3) “Power-operated crane” means a crane that has its mechanism driven by electric, air, hydraulic, or internal combustion means.
- (4) “Preformed” means to permanently shape wire rope before fabrication into helical form.
- (5) “Pulpit” means an operator compartment for a crane located at a fixed position remote from the crane.
- (6) “Qualified person” means a person who, through attainment of a recognized degree or certificate of professional standing or by extensive knowledge, training, and experience, has successfully demonstrated the ability to solve or resolve problems relating to the subject matter and work.
- (7) “Rail stop” means a device attached to a rail to stop the movement of a crane beyond a fixed point.
- (8) “Rated load” means the maximum load for which a crane or individual hoist is designed and built by the manufacturer and shown on the equipment nameplate or nameplates.
- (9) “Remote-operated crane” means a crane controlled by an operator not in a pulpit or in the cab attached to the crane, by any method other than pendant or rope control.
- (10) “Rigger” means an employee who prepares heavy equipment or loads of materials for lifting.
- (11) “Rope” means wire rope, unless otherwise specified.
- (12) “Running sheave” means a sheave that rotates as the load block is raised or lowered.
- (13) “Runway” means an assembly of rails, beams, girders, brackets, and framework on which a crane or trolley travels.

R 408.11806 Definitions; S to W.

Rule 1806. (1) “Safety factor” means the ratio of the breaking strength of a piece of material or object to the actual load or stress when in use.

- (2) “Seizing” means to bind the end of a wire rope with a soft annealed iron wire.
- (3) “Side pull” means to pull a load with a hoist, chain or cable other than vertically.
- (4) “Stop device” means a device to limit travel of a trolley or crane bridge. It is normally attached to a fixed structure and normally does not have energy-absorbing ability.
- (5) “Storage gantry crane” means a gantry type crane of long span usually used for bulk storage of materials. The bridge girders are supported on 1 or more legs. It may have 1 or more fixed or hinged cantilever ends.
- (6) “Swaged socket” means a fitting into which wire rope is inserted and attached by cold forming.
- (7) “Switch” means a device for making, breaking, or for changing the connections in an electric circuit.
- (8) “Trolley” means a unit that travels on the bridge rails and carries the hoisting mechanism.
- (9) “Trolley travel” means the trolley movement at right angles to the crane runway.
- (10) “Truck” means the unit consisting of a frame, wheels, bearing, and axles that supports the bridge girders or trolleys.
- (11) “Wall crane” means a crane which has a jib with or without trolley and which is supported from a sidewall or line of columns of a building. It is a traveling type and operates on a runway attached to the sidewall or columns.

R 408.11807 Adoption of standards by reference.

Rule 1807. (1) The standards specified in this rule, except for the standards specified in subrule (2) of this rule, are adopted by reference. (a) The following American Society of Mechanical Engineers standards, which are available from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado, 80112, USA, telephone number: 1-800-854-7179 or via the internet at web-site: <http://global.ihs.com>, at a cost as of the time of adoption of these amendments, as stated in this subdivision:

(i) American National Standard Institute Standard ANSI B30.2, for “Overhead and Gentry Cranes Top Running Bridge, Single or Multiple Girder, Top Running Trolley Hoist”, 1996 edition. Cost: \$73.00.

(ii) American Society of Mechanical Engineers Standard ASME B30.17, for “Overhead and Gantry Cranes (Top Running Bridge, Single Girder, Underhung Hoist),” 1998 edition. Cost: \$62.00.

Both standards are also available for inspection at, and purchase from, the Michigan Department of Consumer and Industry Services, MIOSHA Standards Division, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan 48909-8143.

(b) “National Electrical Code,” 2002 edition, is available from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts, 02269-9101, USA; telephone number: 617-770-3000; or via the internet at web-site: www.nfpa.org, at a cost as of the time of adoption of this amendment of \$54.00 and is available for review at the Michigan Department of Consumer and Industry Services, MIOSHA Standards Division, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(2) The following Michigan Occupational Safety Standards are available at no charge from the Michigan Department of Consumer and Industry Services, MIOSHA Standards Division, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48908-8143 or via the internet at web-site: www.cis.state.mi.us/bsr/divisions/std:

(a) General Industry Safety Standard Part 2. “Floor and Wall Openings, Stairways and Skylights,” being R 408.10201 et seq.

(b) General Industry Safety Standard Part 3. “Fixed Ladders,” being R 408.10301 et seq.

(c) General Industry Safety Standard Part 7. “Guards for Power Transmission,” being R 408.10701 et seq.

(d) General Industry Safety Standard part 33. “Personal Protective Equipment,” being R 408.13301 et seq.

(e) General Industry Safety Standard Part 39. “Design Safety Standards for Electrical Systems,” being R 408.13901 et seq.

(f) General Industry Safety Standard Part 40. “Electrical Safety-related Work Practices”, being R 408.14001 et seq.

(g) General Industry Safety Standard Part 49. “Slings,” being R 408.14901 et seq.

(h) General Industry Safety Standard Part 85. “Lockout/Tagout,” being R 408.18501 et seq.

(i) Construction Safety Standard Part 10. “Lifting and Digging Equipment,” being R 408.41001 et seq.

(j) Construction Safety Standard Part 45. “Fall Protection,” being R 408.44501 et seq.

R 408.11808 Employer responsibilities.

Rule 1808. (1) An employer shall comply with the manufacturer’s specifications and limitations applicable to the operation of cranes. If a manufacturer’s specifications are not available, then the limitations assigned to the equipment shall be based on the determination of a qualified engineer who is competent in the field of equipment limitations, and the determination shall be appropriately documented and recorded. Attachments that are used with cranes shall not exceed the capacity, rating, or scope recommended by the manufacturer.

(2) An employer shall designate a qualified person to perform all inspections of cranes as required by this part.

(3) An employer shall limit the use of a crane to the following entities:

(a) An employee who has been trained and qualified to operate the type of crane to which he or she is assigned.

(b) A learner who is under the direct supervision of a designated operator.

(c) Designated maintenance personnel while performing their duties.

(4) An employer shall maintain a crane and its accessories in a condition that will not endanger an operator or other employees.

(5) The original safety factor of the equipment shall not be reduced if modifications or changes are made to the equipment. Modifications or changes shall be certified by a qualified registered engineer. The capacity,

operation, and maintenance instruction plates, tags, or decals shall be changed accordingly to reflect any modifications or changes.

(6) An employer shall comply with all other applicable requirements of this part.

(7) The manual provided by the crane manufacturer shall be readily accessible for the crane operator's reference at the work site.

CONSTRUCTION, INSTALLATION AND EQUIPMENT

R 408.11821 Certification; modification; guards; adoption of standards by reference.

Rule 1821. (1) A top running or gantry crane consisting of a top running bridge with single or multiple girders and a top running trolley hoist, erected or modified after June 24, 1973, shall be certified by a crane manufacturer or an engineer knowledgeable in crane construction, that the new construction or installation, or modification conforms to the American Society of Mechanical Engineers Standard B30.2 "Overhead and Gantry Cranes Top Running Bridge, Single or Multiple Girder, Top Running Trolley Hoist" 1996 edition, which is adopted by reference in R 408.11807.

(2) A top running or gantry crane consisting of a top running bridge with a single girder and an underhung hoist, erected or modified after August 31, 1971 shall be certified by a crane manufacturer or an engineer knowledgeable in crane construction, that the new construction or installation, or modification conforms to the American Society of Mechanical Engineers Standard B30.17 "Overhead and Gantry Cranes (Top Running Bridge, Single Girder, Underhung Hoist)" 1998 edition, which is adopted by reference in R 408.11807.

(3) Gears, couplings and other means of power transmission, except shafts, where exposed to contact, shall be guarded as prescribed in General Industry Safety Standard Part 7. "Guards for Power Transmission," being R 408.10701 et seq., which is referenced in R 408.11807.

(4) A top running or gantry crane consisting of a top running bridge with single or multiple girders and a top running trolley hoist may be modified or rerated if the modifications and the supporting structure are checked thoroughly by a qualified engineer or the equipment manufacturer and conform to the American Society of Mechanical Engineers Standard B30.2 "Overhead and Gantry Cranes Top Running Bridge, Single or Multiple Girder, Top Running Trolley Hoist" 1996 edition, which is adopted by reference in R 408.11807.

(5) A top running or gantry crane consisting of a top running bridge with a single girder and an underhung hoist may be modified or rerated if the modifications and the supporting structure are checked thoroughly by a qualified engineer or the equipment manufacturer and conform to the American Society of Mechanical Engineers Standard B30.17 "Overhead and Gantry Cranes (Top Running Bridge, Single Girder, Underhung Hoist)" 1996 edition, which is adopted by reference in R 408.11807.

R 408.11822 Marking rated capacity; classifications ; clearances.

Rule 1822. (1) The rated capacity of a crane shall be legibly marked on each side of the crane. Markings shall be legible from the ground or floor. Each load block of the hoisting units of the crane shall be legibly marked with its individual rated capacity.

(2) The service class rating shall be indicated on the crane.

(3) Clearance from obstructions shall be a minimum of 3 inches overhead and 2 inches laterally between the crane and any obstruction.

(4) Runways of parallel cranes that do not have an intervening wall or structure shall have adequate clearance between the 2 bridges.

(5) The cab of a crane shall be located to afford a minimum of 3 inches clearance from all fixed structures within its area of possible movement.

R 408.11824 Wire rope.

Rule 1824. (1) A wire rope used on a crane shall be repaired or replaced in any of the following circumstances:

- (a) One third or more of the original diameter of the outside individual wires is worn.
 - (b) There is kinking, crushing, bird-caging, or any other damage that results in distortion of the running portion of the wire rope structure.
 - (c) The wire rope shows heat or corrosive damage.
 - (d) In running ropes, there are 6 randomly distributed broken wires in 1 lay or 3 broken wires on 1 strand in 1 lay. In rotation-resistant ropes, 2 randomly distributed broken wires in 6 rope diameters or 4 randomly distributed broken wires in 30 rope diameters.
 - (e) There are reductions from nominal diameter of more than the following:
 - (i) One sixty-fourth of an inch for a diameter to and including 5/16 of an inch.
 - (ii) One thirty-second of an inch for a diameter 3/8 of an inch to and including 1/2 of an inch.
 - (iii) Three sixty-fourths of an inch for a diameter 9/16 of an inch to and including 3/4 of an inch.
 - (iv) One sixteenth of an inch for a diameter 7/8 of an inch to and including 1 1/8 inches.
 - (v) Three thirty-seconds of an inch for a diameter 1 1/4 inches to and including 1 1/2 inches.
 - (f) In standing ropes, there are more than 2 broken wires in 1 lay in sections beyond end connections or more than 1 broken wire at an end connection.
- (2) Wire rope discarded from a crane under subrule (1) of this rule shall not be used for any other load-carrying service.
- (3) Wire rope for a crane bent to form an eye shall be equipped with a metal thimble.
- (4) A wire rope end fitting shall be a clamp, swage, or a zinc or equivalent poured socket. Before cutting wire rope, seizings shall be placed as follows:
- (a) 1 seizing on each side of the cut on preformed wire rope;
 - (b) 2 seizings on each side of 7/8 inch size or smaller nonpreformed wire rope.
 - (c) 3 seizings on each side of 1 inch or larger size nonpreformed wire rope.
- (5) Wire rope, that has an independent wire rope core shall be used on all molten metal applications and in an area where the environmental atmosphere will cause deterioration of a hemp center.
- (6) Wire rope shall be stored in a manner to prevent damage or deterioration.
- (7) The unreeling or uncoiling of wire rope shall be done as recommended by the rope manufacturer and with care to avoid kinking or inducing a twist.
- (8) Rope clips attached with u-bolts shall have the u-bolts on the dead or short end of the rope. Spacing and number of all types of clips shall be in accordance with the clip manufacturer's recommendation. Clips shall be drop-forged steel in all sizes manufactured commercially. When a newly installed rope has been in operation for an hour, all nuts on the clip bolts shall be retightened. (see appendix "A")
- (9) Replacement rope shall meet or exceed the original specifications set forth by the crane manufacturer.
- (10) If a load is supported by more than 1 part of rope, then the tension in the parts shall be equalized.

R 408.11825 Hooks; load blocks.

Rule 1825. (1) A crane hook shall be discarded if either of the following provisions applies:

- (a) The throat opening is more than 15% greater than the manufactured size.
 - (b) The hook has more than a 10-degree twist from a vertical center line drawn through the hook socket.
- (2) A hook shall be equipped with a latch, unless the application makes the use of a latch impractical as determined by a qualified person. When required, a latch shall be provided to bridge the throat opening of the hook for the purpose of retaining slings, chains, or other equipment, under slack conditions.

(3) Load blocks shall be of the enclosed type and shall be guarded against rope jamming during normal operations.

R 408.11826 Rescinded.

R 408.11827 Sheaves.

Rule 1827. (1) Sheave grooves shall be smooth and free from defects that could cause rope damage.

(2) Sheaves carrying ropes that can be momentarily unloaded shall be provided with close fitting guards or other suitable devices to guide the rope back into the groove when the load is applied again.

(3) Sheaves in the bottom block shall be equipped with close fitting guards that will prevent ropes from becoming fouled when the block is lying on the ground with ropes loose.

(4) Pockets and flanges of sheaves used with hoist chains shall be of dimensions that the chain does not catch or bind during operation.

(5) All running sheaves shall be equipped with means for lubrication. Permanently lubricated, sealed, or shielded bearings meet this requirement.

R 408.11833 Bridge bumpers; trolley bumpers ; rail sweeps.

Rule 1833. (1) A crane shall be provided with bumpers or other automatic means providing equivalent effect, unless the crane travels at a slow rate of speed and has a faster deceleration rate due to the use of sleeve bearings, is not operated near the ends of bridge and trolley travel, is restricted to a limited distance by the nature of the crane operation and there is no hazard of striking any object in the limited distance, or is used in similar operating conditions. The bumpers shall be capable of stopping the crane, not including the lifted load, at an average rate of deceleration of not more than 3 feet/s/s (per second, per second) when traveling in either direction at 20% of the rated load speed. Bumpers shall meet both of the following requirements:

(a) A bumper shall have sufficient energy-absorbing capacity to stop the crane when traveling at a speed of not less than 40% of rated load speed.

(b) A bumper shall be mounted so that there is no direct shear on bolts.

(2) Bumpers shall be designed and installed to minimize parts falling from the crane in case of breakage.

(3) A trolley shall be provided with bumpers or other automatic means of equivalent effect, unless the trolley travels at a slow rate of speed, is not operated near the ends of bridge and trolley travel, is restricted to a limited distance of the runway and there is no hazard of striking any object in the limited distance, or is used in similar operating conditions. The bumpers shall be capable of stopping the trolley, not including the lifted load, at an average rate of deceleration of not more than 4.7 feet/s/s (per second, per second) when traveling in either direction at 1/3 of the rated load speed. Trolley bumpers shall meet both of the following requirements:

(a) When more than 1 trolley is operated on the same bridge, each shall be equipped with bumpers or equivalent on their adjacent ends.

(b) Bumpers or equivalent shall be designed and installed to minimize parts falling from the trolley in case of broken or loosened mounting connections.

(4) Bridge trucks shall be equipped with rail sweeps that extend below the top of the rail and project in front of the truck wheels.

R 408.11835 Ladders; footwalks; stairways; escape devices.

Rule 1835. (1) When a fixed ladder provides access to a crane, it shall be as prescribed in general industry safety standard, Part 3. "Fixed Ladders," being R 408.10301, et seq., which is referenced in R 408.11807.

(2) A footwalk or a catwalk for or on a crane shall have a standard barrier as prescribed in general industry

safety standard, Part 2. “Floor and Wall Openings, Stairways and Skylights,” being R 408.10201, et seq., which is referenced in R 408.11807. A footwalk shall be of rigid construction and designed to sustain a distributed load of not less than 50 pounds per square foot, and shall have an anti-slip surface.

(3) An employer shall ensure that a safe method of escape is provided in case of fire or other emergency situation on a cab-operated crane.

(4) A gantry crane shall have fixed ladders or stairways extending from the ground to the footwalk or cab platform.

R 408.11837 Rescinded.

R 408.11841 Brakes and restraints.

Rule 1841. (1) An overhead or gantry crane bridge which is powered shall be equipped with an operable brake, non-coasting mechanical drive, or other braking means. The brake or drive shall be capable of stopping the bridge within a distance, in feet, equal to 10% of the full load speed in feet per minute when traveling at full speed with full load.

(2) A trolley of a crane shall meet the requirements of subrule (1) of this rule.

(3) A crane that is being used out-of-doors shall have a positive mechanical restraint, such as, but not limited to, an automatic rail clamp, to secure the crane against wind movement while parked. If clamps act on the rail heads, beads or weld flash on the rail heads shall be ground off. A positive mechanical restraint shall be utilized when the crane is parked in an area where the potential exposure to wind is prevalent.

R 408.11843 Controls.

Rule 1843. (1) A pendant, radio, cab, pulpit control station, and a controller in a cab operated crane shall be permanently identified by function and direction. Control boxes shall be constructed to prevent electrical shock.

(2) Rope controls for a floor-operated crane shall be equipped with an arrow attached to the rope showing the direction of travel when the rope is pulled.

(3) A pendant, radio, cab, or pulpit control station shall be equipped with a positive stop device, colored red, to disconnect all motors.

(4) A crane shall be equipped with a main switch which can be locked out. An employer shall establish a written lockout procedure which shall be used in connection with R 408.11872 and R 408.11875. Lockout shall conform to the requirements prescribed in general industry safety standard Part 85. “Lockout/Tagout,” being R 408.18501 et seq., which is referenced in R 408.11807.

(5) A controller on a rope, pendant, or radio-controlled crane, when released from the “on” position, shall automatically return to the “off” position.

(6) A transmitter for a radio-controlled crane shall be stored in a locked cabinet or in a supervised storage area when not in use.

(7) All cranes shall have an operable over-travel limit switch in the hoisting direction. The switch shall be located so that it is tripped under all conditions to prevent contact of the hook or block with the hoist.

(8) A crane that is not equipped with spring return controllers or momentary contact push buttons shall have a device which will disconnect all motors from the line if power fails and which will not permit restarting until the controller handle is brought to the off position or a reset switch or button is operated.

(9) The control circuit voltage shall not be more than 600 volts for A.C. or D.C. current.

(10) The voltage at pendant push-buttons shall not be more than 150 volts for A.C. and 300 volts for D.C.

(11) If multiple conductor cable is used with a suspended push-button station, then the station shall be supported in a manner that will protect the electrical conductors against strain.

- (12) Cab-operated cranes shall have lever-operated manual controllers and master switches that have a spring-return arrangement, off-point detent, or off-point latch. The controller operating handle shall be located within reach of the operator and, as far as practicable, the movement of each controller handle shall be in the same general directions of the resultant movements of the load.
- (13) Equipment and wiring shall be as prescribed in general industry safety standard Part 39. "Design Safety Standards for Electrical Systems," being R 408.13901 et seq., which is referenced in R 408.11807.
- (14) The control for the bridge and trolley travel shall be located so that the operator can face the direction of travel.
- (15) Push buttons in pendant stations shall return to the above position when released by the operator.
- (16) Automatic cranes shall be designed so that all motions will failsafe if any malfunction of operation occurs.
- (17) A remote-operated crane shall function so that if the control signal for any crane motion becomes ineffective, the crane motion shall stop.

R 408.11844 Equipment.

- Rule 1844. (1) Electrical equipment shall be located or enclosed so that live parts will not be exposed to accidental contact under normal operating conditions.
- (2) Clearances of 2 1/2 feet (762 mm) from electrical equipment shall be maintained in accordance with article 610-57 of the 2002 edition of the "National Electrical Code," which is adopted by reference in R 408.11807.
 - (3) Electric equipment shall be protected from dirt, grease, oil, and moisture.
 - (4) Guards for live parts shall be substantial and located so that they cannot be accidentally deformed to make contact with live parts.
 - (5) Enclosures for resistors shall have openings to provide adequate ventilation and shall be installed to prevent the accumulation of combustible matter too near to hot parts. Resistor units shall be supported to be free as possible from vibration.
 - (6) The power supply to the runway conductors shall be controlled by a switch or circuit breaker which is located on a fixed structure, which is accessible from the floor, and which is capable of being locked in the open position. A switch or circuit breaker which is of the enclosed type and which is capable of being locked in the open position shall be provided in the leads from the runway conductors on a cab-operated crane. A means of opening the switch or circuit shall be located within reach of the operator. A switch or circuit breaker which is of the enclosed type and which is capable of being locked in the open position shall be provided in the leads from the runway conductors on a floor-operated crane. The disconnect shall be mounted on the bridge or footwalks near the runway conductors. One of the following types of floor-operated disconnects shall be provided:
 - (i) Nonconductive rope attached to the main switch.
 - (ii) An under-voltage trip for the main circuit breaker operated by an emergency stop button in the pendant push button in the pendant pushbutton station.
 - (iii) A main line contactor operated by a switch or pushbutton in the pendant pushbutton station.
 - (7) A crane using a lifting magnet shall have a separate magnet circuit switch which is of the enclosed type and which is capable of being locked in the open position. Means for discharging the inductive load of the magnet shall be provided.
 - (8) Runway conductors of the open type mounted on the crane runway beams or overhead shall be located or guarded so that persons entering or leaving the cab or crane footwalk will not come into contact with them. On the effective date of this rule, open type conductors shall not be installed on cab-operated runway beams.
 - (9) When a service receptacle for an extension lamp is provided in the cab or on the bridge of a cab-operated crane, it shall be a grounded 3-prong type permanent receptacle and shall not be more than 300 volts.

R 408.11845 Warning devices.

Rule 1845. (1) A crane, shall be equipped with a warning device, such as a flashing light, horn, bell, or siren. An operator shall use a warning device before starting and intermittently while traveling in an occupied area.

(2) A wind-indicating device shall be provided on an outdoor storage gantry type crane and on an outdoor overhead crane. The device shall give a visual or audible alarm to the operator at a predetermined wind velocity to be determined by the employer in accordance with the manufacturer's recommendation or design.

R 408.11847 Tool storage, housekeeping, and fire extinguishers.

Rule 1847. (1) Tools and other necessary articles shall be stored in a secured container and not allowed to be loose, in or about a crane.

(2) A class "C" or multipurpose fire extinguisher shall be provided and maintained accessible to the crane operator of a cab-operated crane. a carbon tetrachloride extinguisher shall not be used.

(3) An employer shall ensure that the crane operator is knowledgeable in the operation of the fire extinguishers.

(4) Good housekeeping shall be maintained at all times. The crane operator shall keep the access area and the crane cab clear of all loose objects such as tools, bolts, boards, rags, or other materials.

OPERATORS AND OPERATIONS

R 408.11851 Qualification.

Rule 1851. (1) An employee selected to operate a crane shall possess all of the following minimum qualifications and be examined for the qualifications at least once every 3 years:

(a) Have corrected vision that meets the same requirements as vision for a valid Michigan driver's license. Possession of a Michigan driver's license or a doctor's certificate is evidence of meeting this requirement.

(b) Have effective use of all 4 limbs.

(c) Be of a height sufficient to operate the controls and to have an unobstructed view over the controls into the work area.

(d) Have coordination between eyes, hands, and feet.

(e) Be free of known convulsive disorders and episodes of unconsciousness.

(2) An employee assigned to operate a crane shall have the ability to understand signs, labels, and instructions.

(3) An employee who is operating a crane on the effective date of this part, and who does not meet the requirements of subrules (1)(a), (b), (c), and (d) and (2) of this rule may be continued as an operator if the handicap or disability does not prove detrimental to the task. (Note: the effective date of this part was July 25, 1973).

R 408.11852 Training.

Rule 1852. (1) An employer shall train a prospective operator before the employee's assignment as an operator of a crane. An employer shall ensure that a designated individual authorized by the employer to perform the training has the knowledge, training, and experience to train and to evaluate the competence of the prospective operator and to provide refresher training to an operator when it is required. Training shall include all of the following:

(a) Capacities of equipment and attachments.

(b) Purpose, use, and limitation of controls.

(c) How to make daily checks.

(d) The energizing sequences, including pneumatic, hydraulic, and electrical sequences.

(e) Start-up and shutdown procedures.

- (f) Emergency shutdown procedures.
- (g) General operating procedures.
- (h) All basic signaling procedures, including hand, radio, or telephone signals, where required.
- (i) Knowledge of general industry safety standard Part 18. “Overhead and Gantry Cranes,” being R 408.11801 et seq., which is referenced in R 408.11807 and other applicable MIOSHA standards, and company rules and regulations.
- (j) Practice in operating the assigned equipment through the mechanical functions necessary to perform the required task.
- (k) Maximum rated capacity of the crane.
- (2) Training shall consist of a combination of formal instruction, practical training, and testing of the operator’s performance, as required in R 408.11853.
- (3) Refresher training in relevant topics shall be provided to an operator under any of the following conditions:
 - (a) An operator has been observed to operate the crane in an unsafe manner.
 - (b) An operator has been involved in an accident or a near-miss incident.
 - (c) An operator has received an evaluation that reveals that the operator is not operating the crane safely.
 - (d) An operator is assigned to a different type of crane.
 - (e) A condition in the workplace changes that could affect safe operation of the crane.
- (4) Maintenance personnel, crane inspectors, and all other users of the crane shall be trained as required in subrule (1) of this rule.
- (5) A rigger shall be trained in all of the following:
 - (a) The requirements of general industry safety standard Part 18. “Overhead and Gantry Cranes,” being R 408.11801 et seq., which is referenced in R 408.11807.
 - (b) Knowledge of general industry safety standard Part 49. “Slings,” being R 408.14901 et seq., which referenced in R 408.11807.
 - (c) Knowledge of general industry safety standard Part 33. “Personal Protective Equipment,” being R 408.13301 et seq., which is referenced in R 408.11807.
 - (d) Maximum capacity of the crane.
 - (e) Rigging procedures.
 - (f) Company rules and regulations.

R 408.11853 Testing.

Rule 1853. (1) An employer shall test the knowledge and ability of an employee before authorizing him or her to operate a crane. The test shall determine all of the following with respect to the employee:

- (a) Ability to operate the equipment through its functions necessary to perform the required jobs.
- (b) Knowledge of equipment.
- (c) Knowledge of daily checks and inspection requirements.
- (d) Knowledge of applicable MIOSHA standards and company rules and regulations.
- (2) A performance test shall be given to determine that the employee can operate the assigned crane or cranes through the functions necessary to perform the required task.

R 408.11854 Permits.

Rule 1854. (1) An employer shall provide an employee with a permit to operate a crane only after the employee meets the requirements prescribed in R 408.11852, and R 408.11853 et seq.

(2) An employee being trained is exempt from the permit requirement for a period of not more than 30 calendar days if the employee is under the supervision of an individual who is authorized by the employer and who has

the knowledge, training, and experience to train operators and to evaluate their competence, and if the training period does not endanger the trainee or other employees.

(3) A permit shall be carried by an operator or be available upon request of a department representative at all times during working hours.

(4) A permit shall indicate the type of crane or cranes an operator has been trained on and is qualified to operate, as required in R 408.11852 et seq.

(5) A permit to operate a crane is valid only with the employer who issued the permit, and the permit shall be issued for a period of not more than 3 years.

(6) A permit shall contain all of the following information (see sample permit):

(a) Firm name.

(b) Operator's name.

(c) Operator I.D. number, if any.

(d) Name of issuing authority.

(e) Type or types of crane authorized to operate.

(f) Operator restrictions, if any. The permit shall state the nature of the restriction.

(g) Date issued.

(h) Date expiring.

(7) A sample permit is set forth as follows:

SAMPLE PERMIT

CRANE OPERATOR PERMIT

(Firm Name)

Operator's Name

Operator's Number

Is Authorized To Operate: *(Insert Type Of Crane(S) Authorized)*

Restrictions: *(Explanation Of Restrictions)*

Date Issued: (Month - Day- Year)

Date Expiring: (Month - Day- Year)

By Issuing Authority: _____

Title

R 408.11855 Limitations on use of cranes.

Rule 1855. (1) An employer shall limit the use of a crane to the following persons:

(a) An employee who is trained and is qualified to operate the type of crane to which he or she is assigned.

(b) A learner under the direct supervision of a designated operator.

(c) Designated maintenance personnel while performing their duties.

(2) An employer shall establish and enforce a safe procedure, applicable to authorized employees, for boarding and leaving an overhead cab-operated crane.

(3) An employer shall assure that an unauthorized employee does not enter a crane cab or pulpit.

R 408.11857 Reporting defects.

Rule 1857. An operator shall report any defects in a crane to the supervisor.

R 408.11859 Personal protective equipment.

Rule 1859. (1) An operator and an employee directing a lift shall use the personal protective devices required in the area.

(2) If the top of the load is not lifted to a height of more than 5 feet, then the load is not considered an overhead hazard.

(3) An employee performing maintenance on an overhead or gantry crane, where a standard barrier, as prescribed in R 408.11835, or platform is not provided, shall wear an approved safety harness and lanyard, or a fall arrest device as prescribed in construction safety standard, Part 45. "Fall Protection," being R 408.44501, et seq., which is referenced in R 408.11807.

R 408.11861 General conduct of operators.

Rule 1861. (1) An operator, when starting on duty shall comply with both of the following provisions:

(a) Shall not close the main switch or emergency contactor until checking to see if anyone is on the crane and if a warning sign is on the crane, hook, or main switch.

(b) Shall test all controls, limit switches, and brakes. When a load approaches the rated load, the operator shall test the hoisting brakes by raising the load a few inches and applying the brakes.

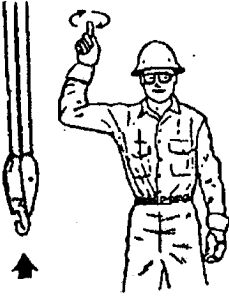
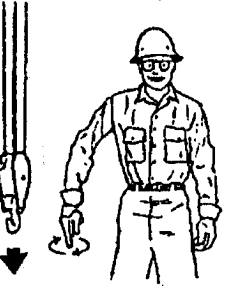
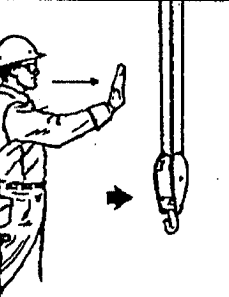

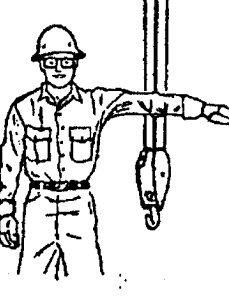
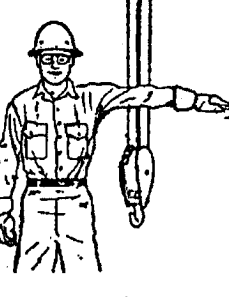
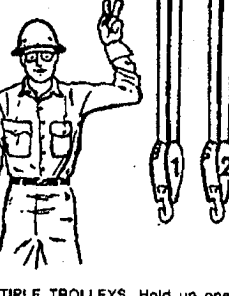
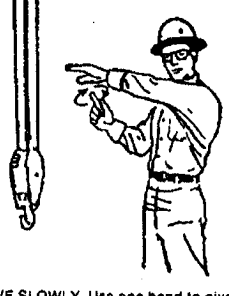
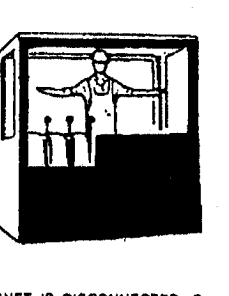
(2) A hoisting limit switch on a crane or hoisting means shall not be used as an operating control unless the crane is also equipped with a backup limit switch.

(3) A load shall not be lowered below a point where less than 2 full wraps of wire rope remain on the hoisting drum.

(4) If there is doubt concerning the safety of a crane or hoisting means, then an operator shall stop the crane and report the condition creating the doubt to the supervisor.

(5) In case of power failure, an operator shall place all controllers in the "off" position.

(6) An operator leaving a crane unattended shall land any attached load, place the controllers in the "off" position, and open the main switch. Before closing a main switch, an operator shall make sure all controllers are in the "off" position. The main switch need not be opened on a pendant-controlled crane if the crane is left unattended for short periods.

 <p>HOIST. With forearm vertical, forefinger pointing up, move hand in small horizontal circle.</p>	 <p>LOWER. With arm extended downward, forefinger pointing down, move hand in small horizontal circle.</p>	 <p>BRIDGE TRAVEL. Arm extended forward, hand open and slightly raised, make pushing motion in direction of travel.</p>
 <p>TROLLEY TRAVEL. Palm up, fingers closed, thumb pointing in direction of motion, jerk hand horizontally.</p>	 <p>STOP. Arm extended, palm down, hold position rigidly.</p>	 <p>EMERGENCY STOP. Arm extended palm down, move hand rapidly right and left.</p>
 <p>MULTIPLE TROLLEYS. Hold up one finger for block marked "1" and two fingers for block marked "2". Regular signals follow.</p>	 <p>MOVE SLOWLY. Use one hand to give any motion signal and place other hand motionless in front of hand giving the motion signal. (Hoist Slowly shown as example.)</p>	 <p>MAGNET IS DISCONNECTED. Crane operator spreads both hands apart — palms up.</p>

R 408.11865 Lifting.

Rule 1865. (1) An operator of a crane shall not carry a load over an employee.

(2) A crane shall not be used to make a side pull, except where it has been specifically established by a qualified person who has determined all of the following:

- (a) Various parts of the crane will not be overstressed.
 - (b) The hoist rope will not bear or rub against other members of the crane, such as the girders or trolley frame, except members specifically designed for such contact.
 - (c) A side pull will not cause the hoist rope to be pulled out of the sheaves or across drum grooves.
 - (d) A side pull will not result in excessive swinging of the load block or load.
- (3) Compressed gases shall be lifted only by a cradle or enclosed platform.
- (4) An employee shall not ride a hoisting device, such as a magnet, hook, ball, or load, except on a work platform. The work platform shall meet all of the requirements as prescribed in construction safety standard Part 10. "Lifting and Digging," being R 408.41001 et seq., which is referenced in R 408.11807.
- (5) The work platform shall be suspended from the top 4 corners and fastened to the structural floor member and shall have the point of suspension at the hook fixed so that it cannot be accidentally disengaged.
- (6) When attaching or moving a load, the operator, rigger, or hooker shall make sure of all of the following:
- (a) The hoisting rope or chain is free of kinks or twists and not wrapped around the load.
 - (b) The load is attached to the load block hook by means of a sling or other approved device.
 - (c) The sling and load will clear all obstacles or obstructions.
 - (d) The load is balanced and secured before lifting the load more than a few inches.
 - (e) Multiple lines are not twisted around each other.
 - (f) The hook is brought over the load in a manner to prevent swinging.
 - (g) There is no sudden acceleration or deceleration of the moving load.

INSPECTIONS**R 408.11871 Initial and shift inspections.**

Rule 1871. (1) New, reinstalled, altered, repaired, and modified cranes shall be inspected by a designated person before initial use to verify compliance with applicable provisions of these rules. Inspection of altered, repaired, and modified cranes may be limited to the provisions affected by the alteration, repair, or modification, as determined by a qualified person.

(2) At the beginning of each shift during which a crane is used, visual inspections shall be made in accordance with table 2. A visual inspection shall be limited to that which can be made from a catwalk or other safe observation point. Any defects shall be reported to a supervisor.

TABLE 2

SHIFT/OPERATOR INSPECTION CHECKS

INSPECTION ITEM	DESCRIPTION OF INSPECTION CHECK POINTS
Tagged Crane Or Hoist	Check That Crane Or Hoist Is Not Tagged With An

	Out-Of-Order Sign.
Control Devices	Test Run That All Motions Agree With Control Device Markings.
Brakes	Check That All Motions Do Not Have Excessive Drift And That Stopping Distances Are Normal.
Hook	Check For Damage, Cracks, Nicks, Gouges, Deformations Of The Throat Opening, Wear On Saddle Or Load Bearing Point, And Twist. Refer To The Manual Furnished By The Original Manufacturer Of The Crane.
Hook Latch	If A Hook Latch Is Required, Check For Proper Operation.
Wire Rope	Check For Broken Wires, Broken Strands, Kinks, And Any Deformation Or Damage To The Rope Structure.
Reeving	Check That The Wire Rope Is Properly Reeved And That Rope Parts Are Not Twisted About Each Other.
Limit Switches	Check That The Upper Limit Device Stops Lifting Motion Of The Hoist Load Block Before Striking Any Part Of The Hoist Or Crane.
Oil Leakage	Check For Any Sign Of Oil Leakage On The Crane And On The Floor Area Beneath The Crane.
Unusual Sounds	Check For Any Unusual Sounds From The Crane Or Hoist Mechanism While Operating The Crane And Hoist.
Warning And Safety Labels	Check That Warning And Other Safety Labels Are Not Missing And That They Are Legible.
Housekeeping And Lighting	Check Area For Accumulation Of Material, Trip Or Slip Hazards, And Poor Lighting.

R 408.11872 Frequent and periodic inspections.

Rule 1872. (1) The inspection procedure for cranes in regular service is divided into 2 general classifications based upon the intervals at which inspection should be performed. The intervals in turn are dependent upon the nature of the critical components of the crane and the degree of its exposure to wear, deterioration, or

malfunction. The 2 general inspection classifications are designated as frequent and periodic, with respective intervals between inspections as specified in this rule.

(2) Frequent inspection includes examinations by a designated person who makes required records, as follows:

(a) Monthly to quarterly (class C) or at intervals of 100 hours of use, whichever comes first. Frequent inspection includes observations during operation and of items listed in table 3.

(b) A designated person shall determine whether conditions found during the inspection constitute a hazard and whether a more detailed inspection is required.

(3) Periodic inspection includes inspection of the equipment in place by a designated person who makes records as listed in table 3 and as follows:

(a) Annually or at intervals of 500 hours of use, whichever comes first. Periodic inspections include observations during operation and of items listed in table 3.

(b) Conditions of extreme duty cycle, heat, and corrosive or climatic extremes indicate a need for more frequent inspections before use.

(c) Cranes with multiple service classifications shall be inspected in accordance with the highest rated duty classification.

(d) A designated person shall determine whether conditions found during an inspection constitutes a hazard and whether disassembly is required for additional inspections.

(4) A crane which is used in infrequent service, that is, which has been idle for a period of 1 month or more, shall be inspected before being placed in service.

TABLE 3
FREQUENT – PERIODIC MANDATORY INSPECTION CHECKLIST
Frequent – F Periodic – P

Item			Item			Item			Item		
BRIDGE STRUCTURAL			TROLLEY STRUCTURAL			HOIST STRUCTURAL					
Guards & Covers	F	P	Steel Frame		P	Steel Frame Condition		P	Brake Coil	F	P
Bumpers	F	P	Connection Hardware		P	Capacity Markings	F	P	Power Limit Switch	F	P
Rail Sweeps	F	P	Load Beam		P	Guards & Covers	F	P	Cable Reels	F	P
Catwalk & Railings		P	Maintenance Platform		P	Connection to Trolley	F	P	Control Cables	F	P
General Structure & Welds		P	Handrails		P	HOIST MECHANICAL			MISCELLANEOUS		
Capacity Signs	F	P	Rail Sweeps	F	P	Motor	F	P	Warning Tag	F	P
Hand Rails		P	Bumpers	F	P	Brake Drum	F	P	Capacity Markings	F	P
Trolley Rail & Stops	F	P	Guards & Covers	F	P	Holding Brake	F	P	Wind Indicators	F	P
BRIDGE MECHANICAL			Alignment & Tracking		P	Mechanical Load Brake	F	P	Rail Clamps	F	P
Motor	F	P	TROLLEY MECHANICAL			Gear Case	F	P	Hour Meter Readings		P
Brake & Hydraulics	F	P	Motor	F	P	Coupling(s)	F	P	Operator Instruction Manual		P
Gear Case	F	P	Brake	F	P	Upper Sheave(s)	F	P	Maintenance Manual		P
Couplings	F	P	Gear Case		P	Rope Drum			Runway, Rails, Clips, Bars	F	P
Line Shaft Bearings	F	P	Couplings	F	P	Wire Rope	F	P	Proper License		P
Wheels	F	P	Wheels	F	P	Bottom Block Assembly	F	P	Warning Devices	F	P
Wheel Gearings	F	P	TROLLEY ELECTRICAL			Hook & Latch	F	P	Spare Batteries	F	P
Wheel Bearings	F	P	General Wiring & Conduits	F	P	Equalizer Sheave	F	P	Recharging Unit	F	P
BRIDGE ELECTRICAL			Motor	F	P	HOIST ELECTRICAL (MAIN)			Transmitter Storage Location	F	P
Lights	F	P	Control Panels	F	P	General Wiring & Conduits	F	P	TEST RUN		
Electric Control Brake	F	P	Control Operations	F	P	Motor(s)	F	P	Bridge	F	P
Master Switches	F	P	Motor Resistors	F	P	Control Panel	F	P	Trolley	F	P
Runway Collectors	F	P	Soft Start or Inverter	F	P	Motor Resistors	F	P	Main Hoist	F	P
									Auxiliary Hoist	F	P

Trolley Conductors	F	P
Resistors	F	P
Soft Start or Inverter	F	P

Hoist/Trolley Conductors	F	P
Limit Switch(s)	F	P
Electric Control Brake(s)	F	P

Limit Switch(s)	F	P
Soft Start or Inverter	F	P
Electric Control Brake(s)	F	P
Overload Guard		P

VERIFICATION		
Inspection Accepted/Date	F	P
Customer Signature	F	P

Item		
HOIST STRUCTURAL (AUXILIARY)		
Steel Frame Condition		P
Capacity Markings	F	P
Guards & Covers	F	P
Connection To Trolley	F	P
HOIST MECHANICAL (AUXILIARY)		
Motor	F	P
Brake Drum	F	P
Holding Brake	F	P
Mechanical Load Brake	F	P
Gear Case	F	P
Coupling(s)	F	P
Upper Sheave(s)	F	P
Rope Drum		P
Wire Rope	F	P

Item		
Soft Start Or Inverter	F	P
Electric Control Brake(s)	F	P
Overload Guard		P
Brake Coil	F	P
Power Limit Switch	F	P
Cable Reels	F	P
Control Cables	F	P
PENDANT CONTROL		
Push Button Festoon Condition	F	P
Push Button Pendant Condition	F	P
Push Button Legend Markings	F	P
Push Button Strain Relief	F	P
Cable Reel(s)	F	P
Pendant Balancer	F	P
Operation of E-Stop	F	P

Item		
BRIDGE CONTROL PANELS		
Line Contactor & Knife Switch	F	P
Bridge Contactors	F	P
Arch Shields	F	P
Wiring	F	P
Grounds	F	P
Resistors	F	P
Doors Closed	F	P
TROLLEY CONTROL PANELS		
Contactors	F	P
Arch Shields	F	P
Wiring	F	P
Grounds	F	P
Resistors	F	P
Doors Closed	F	P

Item		
AUXILIARY HOIST CONTROL PANELS		
Contactors	F	P
Arch Shields	F	P
Wiring	F	P
Grounds	F	P
Resistors	F	P
Doors Closed	F	P
Overload Relays		P
MAIN POWER SUPPLY		
Main Line Conductors	F	P
Main Line Collectors	F	P
TROLLEY POWER SUPPLY		
Trolley Conductors	F	P
Trolley Line Collectors	F	P
FESTOON SYSTEM POWER SUPPLY		

Bottom Block Assembly	F	P
Hook & Latch	F	P
Equalizer Sheave	F	P
HOIST ELECTRICAL (AUXILIARY)		
General Wiring & Conduits	F	P
Motor(S)	F	P
Control Panel	F	P
Motor Resistors	F	P
Limit Switch(s)	F	P

Warning Tag On Push Button	F	P
RADIO CONTROL ELECTRICAL		
Conduits & Fittings	F	P
Wiring & Connections	F	P
Control Panels	F	P
Radio/Manual Switch	F	P
Receiver Antenna	F	P
Transmitter Functions	F	P
Transmitter Emergency Stop	F	P

MAIN HOIST CONTROL PANELS		
Contactors	F	P
Arch Shields	F	P
Wiring	F	P
Grounds	F	P
Resistors	F	P
Doors Closed	F	P
Overload Relays	F	P

Trolley Pusher Arm	F	P
Festoon Span Conductors	F	P
Festoon Trolleys	F	P
SAFETY		
Fire Extinguisher	F	P
Clearance Crane/Obstruction		P
General Condition & Housekeeping	F	P

R 408.11873 Operational tests.

Rule 1873. (1) Before a new or modified crane is put into operation or if a crane has not been used in the past 12 months, the equipment shall be tested by a designated person to ensure compliance with this part, including all of the following functions:

- (a) Hoisting and lowering.
- (b) Trolley travel.
- (c) Bridge travel.
- (d) Travel limiting devices.

(2) The trip setting of a hoist limit switch shall be determined with an empty hook traveling in increasing speeds up to the maximum speed. The actuating mechanism of the limit switch shall be located so that it will trip the switch, under all conditions, in time to prevent contact of the hook or hook block with any part of the trolley.

(3) Locking, limiting, and indicating devices, if provided.

(4) When a crane is given a load test, the test load shall be not more than 125% of the rated load. The test reports shall be maintained on a file within the premises where the crane is located.

R 408.11874 Rated load test.

Rule 1874. Before initial use, all new, extensively repaired, and altered cranes shall be tested and inspected by or under the direction of a designated or authorized person and a written report which confirms the load rating of the crane shall be furnished by the person. The load rating shall not be more than 80% of the maximum load sustained during the test. Test loads shall not be more than 125% of the rated load, unless otherwise recommended by the manufacturer. The test reports shall be placed on file where readily available to appointed personnel.

R 408.11875 Maintenance.

Rule 1875. (1) An employer shall maintain a crane and its accessories in a condition that will not endanger an operator or other employee. A preventative maintenance program shall be established and the program shall be based on the manufacturer's recommendations and for the application as reviewed by a qualified person.

(2) An unsafe condition on a crane determined by an inspection shall be corrected by a designated trained employee or a qualified crane service company before the crane is put into operation. Designated repair personnel shall have a thorough background in either mechanical or electrical operating systems, or both, and shall also have a permit to operate the type of crane that is being serviced.

(3) Before adjustments or repairs are commenced on a crane, all of the following precautions shall be taken:

(a) A crane to be repaired shall be moved to a location where it will cause the least interference with other moving equipment on the track or rails and operations in the area.

(b) Controllers shall be placed in the "off" position.

(c) The main switch shall be placed in the "off" or "open" position and locked out, except where power is necessary to adjust or service the crane.

(d) A warning sign or "out of order" sign shall be placed at the operator control station.

(e) Illumination of not less than 15 footcandles intensity shall be provided while maintenance is performed on a crane.

(4) If any other crane uses the same runway, then a protective device shall be used to prevent interference with the idle crane undergoing repairs. If the protective device is impracticable, then a signal person shall be placed at a visual vantage point to warn the operator of the active crane when it reaches the limit of safe distance from the idle crane.

- (5) A crane that has been adjusted or repaired shall not be returned to normal operation until all guards have been replaced, locks removed by those who installed them, or their supervisor, safety devices reactivated, and the maintenance equipment removed.
- (6) Manual lubrication on a crane shall comply with subrule (3)(c) of this rule.
- (7) An accumulation of dirt on a crane that would create a hazardous condition shall be removed.

ADMINISTRATIVE RULES

ORR #2001-065

CONSUMER AND INDUSTRY SERVICES

UNEMPLOYMENT AGENCY DIRECTOR'S OFFICE

EMPLOYMENT SECURITY

Filed with the Secretary of State on April 2, 2002. These rules take effect 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of consumer and industry services by section 4 of 1936 extra session PA 1, MCL 421.4 and Executive Orders Nos. 1995-8 and 1997-12, MCL 421.93 and 421.94)

R 421.15, R 421.121, R 421.122, R 421.190, R 421.201, R 421.204, R 421. 210, and R 421.216 of the Michigan Administrative Code are amended as follows:

PART 1. ADMINISTRATION

R 421.15 Determination of normal seasonal work period of seasonal employer.

Rule 15. (1) The normal seasonal work period of a seasonal employer shall be determined by the agency to be the period selected by the employer if the period is not more than 26 weeks and falls within the earliest beginning and latest ending dates of the employer's work seasons in the previous 5 years or in as many years as the employer has operated the business in Michigan if less than 5 years or is within the expected seasonal work period if the employer has not operated the business in Michigan.

(2) If the employer does not request designation of a period as the normal seasonal work period, then the agency shall determine the normal seasonal work period to be the entire period falling within the earliest beginning and latest ending dates of the employer's work seasons in the previous 5 years or in as many years as the employer has operated the business in Michigan if less than 5 years or to be the employer's expected seasonal work period if the employer has not operated the business in Michigan. If, however, the period is more than 26 weeks, then the normal seasonal work period shall be the most recent seasonal period of the employer that is not more than 26 weeks.

(3) The determination shall be based on all of the following information:

(a) A statement from the employer indicating the beginning and ending dates of the employer's seasonal work periods in Michigan for each of the previous 5 calendar years or for as many years as the employer has operated the business if less than 5 years. If an employer has not previously operated the business in Michigan, then the agency shall obtain, from the employer, a statement of the employer's expected seasonal work period.

(b) A statement from the employer indicating the period the employer requests to designate as the normal seasonal work period, if any.

(c) General employment information about the employer that is in the possession of the agency and, if necessary, further clarifying information requested from the employer.

(4) After a work period has been determined by the agency, the employer's normal seasonal work period will not be redetermined by the agency unless the agency discovers relevant new information, or unless not less than 20 days before the start of the previously determined normal seasonal work period at least 1 of the following provisions is satisfied:

(a) The agency receives a request from an employer for a change that gives reasons for making the request, and the request is granted by the agency. The agency shall grant the request if the employer's reason for making the request is that there has been a substantial change in the operation of the business that necessitates changing the normal seasonal work period.

(b) The employer provides the agency with information about the employer's most recent seasonal work period, when the prior determination or redetermination was based on a history of less than 5 years of operating the business in Michigan or was based on the employer's expected seasonal work period.

(5) If the normal seasonal work period is redetermined, then the new normal seasonal work period will be used to establish denial periods beginning after the end of the newly redetermined normal seasonal work period.

PART 2. EMPLOYERS

R 421.121 Employer contribution reports and payments.

Rule 121. (1) Except as provided in subrule (4) of this rule, contributions shall become due and payable quarterly with respect to wages paid in each calendar quarter, except that the agency may require contributions to become due and payable on a monthly basis in any instance in which an employer has a history of delinquency or in any instance in which the agency has reason to believe that the collection of contributions may otherwise be jeopardized.

(2) Each employer shall submit a contribution report on forms provided by the agency, or on facsimiles of forms approved by the agency, or by an electronic method approved by the agency. Except as provided in subrule (4) of this rule, an employer shall submit a quarterly report and pay the contributions due on wages paid during the calendar quarter on or before the twenty-fifth day of the month next following the last day of the calendar quarter or, if required by the agency, shall submit a monthly report and pay the contributions due on wages paid during the calendar month on or before the twenty-fifth day of the month next following the last day of the month for which the report is submitted. If the contribution report is submitted by an electronic method approved by the agency, it must be received by the agency within the same time period that applies to a report submitted by any other method. Contributions paid after the due date specified in this subrule but before the first business day of the calendar month beginning after the due date specified in this subrule shall not accrue interest. Contributions paid after the last day of the calendar month containing the due date specified in this subrule shall accrue interest beginning the day after the due date specified in this subrule. Payment of contributions may be made by any means approved by the agency.

(3) An employer who is notified by the agency to report and pay contributions on a calendar month basis shall file the report and pay the contributions due with respect to wages paid in the month that the notice is mailed by the agency. Further, the employer shall, within 25 calendar days after mailing the notice, file separate monthly contribution reports and pay contributions due with respect to wages paid in each previously completed calendar month in the particular quarter in which the notice is mailed.

(4) Each school district and community college district that elects to be a contributing employer and that is liable for contributions for a calendar year shall pay the contributions within 30 calendar days after the start of its next fiscal year after the calendar year. Within the time period in subrule (2) of this rule, a school district or

community college district that becomes a contributing employer shall submit a contribution report on forms provided by the agency or on facsimiles of forms approved by the agency. However, the district shall make payment under this subrule.

(5) Any remuneration payable to an individual that has not been actually paid to the individual within 21 calendar days after the end of the pay period in which the remuneration was earned is deemed to have been paid on the twenty-first day after the end of the pay period. Remuneration, the exact amount of which or the persons to whom payable, or both, have not been determinable during any pay period, is considered to have been earned in the pay period in which both the amount and the persons to whom payable are first determinable.

(6) The following person, as appropriate, shall sign the certification on each contribution report:

(a) The individual, if the employer is an individual.

(b) The president, vice president, or other officer, if the employer is a corporation.

(c) A responsible or duly authorized member having knowledge of its affairs, if the employer is a partnership or other unincorporated organization.

(d) An individual who possesses the necessary authority, if the employer is a governmental entity.

(7) An employing unit that at any time becomes a contributing employer under the provisions of the act during the course of any calendar year shall, immediately after becoming a contributing employer, prepare and file a contribution report for each then completed calendar quarter or each then completed calendar month if required by the agency within the calendar year. After filing the initial contribution report, the contributing employer shall file the reports as required by this rule.

(8) An employing unit that elects, under the provisions of section 25 of the act, to become a contributing employer shall, upon written approval of the election by the agency, file the required reports, including a contribution report for all completed calendar quarters, or calendar months if required by the agency, beginning with the effective date of liability as approved by the agency.

(9) Upon the discontinuance, sale, assignment, or transfer, whether voluntary or by operation of law, of the trade, organization, or business in Michigan of a contributing employer, other than a school district or community college district, contributions shall become immediately due and payable as of the date of the discontinuance, sale, assignment, or transfer. Within 15 calendar days of the date of discontinuance, sale, assignment, or transfer, the employer shall file with the agency all reports required by this rule for the part of the calendar month or calendar quarter that has elapsed since the last day of the preceding required reporting period. In the case of a school district or a community college district, the reporting requirements specified in this subrule shall apply, but a district shall pay contributions due under subrule (4) of this rule.

(10) The last return of a contribution report for any employer shall be marked "Final Return" by the employer or other person filing the return. An employer shall plainly write the period covered by the return on the return, indicating the date of the final payment of wages subject to contributions. Except for a contributing employer who elects to become a reimbursing employer, in addition to the other requirements of this subrule, an employer shall execute and file a "discontinuance or disposition of business or assets."

(11) An employer shall execute and file each return, together with any supporting data, including wage and employment information, pursuant to instructions and the applicable rules. Further, upon notification from the agency, a multicounty employer and, as defined by the agency, a multiindustry employer within a county shall report wage and employment information for each location. An employer shall apply to the agency for the forms needed in time to have the employer's returns prepared, certified, and filed with the agency on or before the due date. An employer shall carefully prepare the return so as to set forth fully and clearly the data called for in the return. The agency shall not accept, as meeting the requirements of the act, a return that does not set forth the data fully and clearly. Each employer is required to file his or her own report with respect to wages for

employment performed for the employer. Employers shall not file consolidated reports of parent and subsidiary corporations, except as permitted by R 421.190 with regard to a common paymaster arrangement.

R 421.122 Reimbursing employer reports and payments.

Rule 122. (1) Each reimbursing employer shall submit a quarterly report of total wages and monthly employment on a form provided by the agency, or by an electronic method approved by the agency. The quarterly report shall be submitted on or before the twenty-fifth day of the month next following the last day of each calendar quarter.

(2) Upon notification from the agency, multicounty employers and, as defined by the agency, multiindustry employers within a county shall be required to report wage and employment information for each location.

(3) Each nonprofit employer that elects to be a reimbursing employer and that is liable for quarterly reimbursement payments shall submit such payments within 30 days after the mailing date of the quarterly billing of benefit charges. Payment of reimbursements may be made by any means approved by the agency.

(4) Each reimbursing governmental entity that is liable for reimbursement payments for a calendar year shall submit such payment within 30 days after the start of its next fiscal year after such calendar year. Each employer shall receive a quarterly summary statement of daily charges and credits.

R 421.190 Common paymaster; employee leasing companies; payrolling; temporary help firms.

Rule 190. (1) As used in this rule:

(a) “Captive provider” means an employee leasing company which limits itself to providing services and employees to only 1 client entity and the entity’s subsidiaries and affiliates and which does not hold itself out as available to provide leasing services to other client entities that do not share an ownership relationship with the employee leasing company.

(b) “Client entity,” also known as a “work-site employer,” means the business entity that contracts with an employee leasing company for the purpose of providing employees and related services to the client entity.

(c) “Common paymaster” is the arrangement by which different services performed by 1 individual are divided among 2 or more employers that are related through commonality of ownership, and the individual is compensated by 1 of those employers that acts as the common paymaster. Under such an arrangement, different employers benefit from the services of the same individual, but these services are reflected in the experience rating of, and the payment of unemployment taxes by, only 1 of the employers.

If 2 or more related corporations concurrently employ the same individual and compensate that individual through a common paymaster that is 1 of the corporations, the corporations may elect to report wages and pay unemployment taxes of all shared employees of the related corporations through a common paymaster and the related corporations will be considered to be a single employing unit. The common paymaster for purposes of reporting wages and paying Michigan unemployment taxes of all shared employees shall be the corporation that has the highest Michigan unemployment tax rate. Corporations are considered to be related if they satisfy any 1 of the following tests at any time during the calendar quarter:

(i) The corporations are members of a controlled group of corporations as defined in section 1563 of the internal revenue code, 26 U.S.C. §1563, or would be members if certain stock ownership percentage requirements between corporations were relaxed and certain exclusions made inapplicable.

(ii) In the case of a corporation that does not issue stock, either 50% or more of the members of 1 corporation’s board of directors or other governing body are members of the other corporation’s board of directors or other governing body, or the holders of 50% or more of the voting power to select such members are concurrently the holders of 50% or more of that power with respect to the other corporation.

(iii) Fifty percent or more of 1 corporation’s officers are concurrently officers of the other corporation.

(iv) Thirty percent or more of 1 corporation's employees are concurrently employees of the other corporation. Corporations are considered related for an entire calendar quarter if 1 of the requirements listed in paragraphs (i) to (iv) of this subdivision is satisfied. Concurrent employment means the contemporaneous existence of an employment relationship between an individual and 2 or more corporations.

(d) "Employee leasing company (ELC)," also known as a "professional employer organization," means an independently established business entity that does all of the following:

- (i) Provides employees to a client entity.
- (ii) Pays the wages of the employees.
- (iii) Reports and withholds applicable taxes from the wages of the employees.
- (iv) Administers the benefits for the employees.
- (v) Provides other payroll, human resources, and other management assistance services that are agreed upon with its client entity.

The employees provided to the client entity may have previously been employed directly by the client entity. The relationship between the client entity and ELC is intended to be long-term or continuing, rather than temporary or intermittent, and the employees are, generally, not subject to reassignment. The majority of the workers at a client entity's worksite, or a majority of workers in a specialized group within that workforce, consists of employees assigned by the leasing company.

(e) "Payrolling" is the practice of establishing a related or associated company for the purposes of reassigning the employee payroll functions from 1 business entity to the related business entity, usually to take advantage of the lower unemployment tax rate of the related business entity. Direction and control of the involved employees are not transferred along with the payroll to the related business entity, and the related entity is not an employee leasing company. The related business entity to which the payroll is assigned is not the employer for unemployment insurance tax purposes. The entity for which services are performed and which exercises direction and control over the employee is the employer.

(f) "Temporary help firm" means an employer whose primary business is to provide a client entity with the temporary services of 1 or more individuals under contract with the employer. Employment with a temporary help firm is characterized by a series of limited-term assignments of an individual to a client entity based on a written or oral contract between the temporary help firm and the client entity. The assignment is usually for a specified period. A separate written or oral employment contract exists between the temporary help firm and each individual it hires as an employee. The employee of the temporary help firm is subject to reassignment by the temporary help firm. Completion of an assignment for the client entity by an employee employed by the temporary help firm does not, in itself, terminate the employment contract between the temporary help firm and the individual. A temporary help firm that meets the requirements of section 41 of the act is a liable employer and shall pay unemployment taxes on its employees.

(2) An ELC that meets the requirements of section 41 of the act is a liable employer and responsible to pay unemployment taxes on the employees leased to the client entity. For unemployment tax purposes in Michigan, the ELC, and not the client entity, is the employer of the leased employees if all of the following conditions are met:

(a) An employing entity representing itself to be an ELC shall comply with the requirements of this rule to be considered by the agency to be an ELC for purposes of the act and this rule. If the agency determines the entity is not an ELC within the meaning of this rule, then the payroll of workers at the client entity will be assigned or reassigned to the client entity and the client entity's prior experience rating will be reinstated.

(b) The ELC shall administer all payroll and all benefit services for the client entity, pay the wages of the workers, and have the right, both in contract and in fact, to hire, promote, reassign, discipline, and terminate the leased workers. The ELC cannot delegate the rights to the client entity. The client entity's officers may be

considered employees of the leasing company when they are acting as operational managers, or performing services, for the client entity.

(c) The ELC retains the right to exercise direction and control over the daily activities of the workers or can delegate the right to the client entity.

(d) Neither the ELC nor any individual owner of the ELC, nor owners of the ELC in the aggregate, has an ownership interest of more than 20% in the client entity, including the client entity's subsidiaries and affiliates, and the client entity does not have more than 20% ownership interest in the ELC.

(e) Neither the ELC nor any individual owner or other employee of the ELC has direct or indirect control over the client entity.

(f) The ELC does not limit itself to providing services and employees to any 1 client entity, including that entity's subsidiaries and affiliates, but holds itself out to the public in general as available to provide leasing services. The ELC shall not be a captive provider of employee services.

(3) To be considered the employer of the leased employees, the employee leasing company shall comply with all of the following operational requirements:

(a) The ELC shall maintain records pertaining to the employees of the ELC who perform services for the client entity. In addition, the ELC shall make the records available to the agency, on request.

(b) Upon request, the ELC shall promptly provide the agency with a copy of the employee lease agreement with any of its client entities and with a list of the ELC's client entities.

(c) The ELC shall comply with federal, state, and local employment and business registration laws, regulations, and ordinances. If the ELC does not so comply, then the agency may decline or cease to recognize an employing entity as an ELC.

PART 3. CLAIMS

R 421.201 "Interested party" defined.

Rule 201. (1) The term "interested party," as used in the act or these rules, means anyone whose statutory rights or obligations might be affected by the outcome or disposition of the determination, redetermination, or decision. A claimant for unemployment benefits is not an interested party to a redetermination of charges or to an appeal relating to a redetermination of charges. An interested party has all of the following rights:

(a) The right to receive a copy of the notice of determination or redetermination.

(b) The right to request a reconsideration of the determination or redetermination.

(c) The right to appeal to a referee or the board of review in the manner provided in the act.

(2) The agency is an interested party in any appeal before a referee, the board of review, or in any judicial action involving an order or decision of the board of review or a referee.

(3) An employer or employing entity in this or another state is an interested party in connection with a claim for benefits if the employer's or employing entity's account has been charged, the employer or employing entity is presently or potentially chargeable with some portion of benefits paid or payable on such claim, or the employer or employing entity is directly involved in a possible ineligibility or disqualification of a claimant. A base period employer is not an interested party with respect to a nonmonetary adjudication or appeal relating to another base period employer or the last separating employer concerning either benefit payments or charges, unless the issue on appeal is whether the base period employer is chargeable for benefits on the claim under section 29(5) of the act.

R 421.204 Unemployment compensation notice to employee.

Rule 204. (1) An employer, other than an employer filing claims on behalf of workers in accordance with rule R 421.210, shall provide each worker at the time of the worker's separation from employment a copy of form UA 1711, unemployment compensation notice to employee. However, this requirement is satisfied if the employer previously delivered a copy of the form to the worker, or if the employer has by any other method provided the worker an equivalent written statement notifying the worker of both of the following:

- (a) If the worker loses form UA 1711 or the equivalent written notice from the employer, the worker may obtain a duplicate from a designated office in the establishment.
- (b) The worker should have form UA 1711 or the equivalent written notice from the employer available for reference when filing a claim.

(2) If the agency finds that an employer fails to deliver form UA 1711 or the equivalent written notice before separation or fails to post adequate notices concerning replacement of a lost form UA 1711 or an equivalent written notice, then the employer, at the direction of the agency, shall be required to deliver form UA 1711 or the equivalent written notice to a worker when the worker is separated from employment. Form UA 1711 or the equivalent written notice shall be considered a report within the meaning of section 54(c)(1) of the act, and the agency may impose the penalty of \$10.00 against an employer that fails to provide the form or the equivalent written notice to the worker by the date of the worker's separation from employment and will only be imposed if an employer fails to comply with this requirement after being notified by the agency. Imposition of the penalty provided under this rule is an appealable issue under the act.

(3) The form or equivalent written notice shall contain all of the following information:

- (a) The employer's name and number of the employer's account with the agency.
- (b) The address of the employer to which any request for wage or separation information, or both, shall be directed.
- (c) Such other information as is required by the agency.

R 421.210 Unemployment insurance benefit filing requirements; definitions.

Rule 210. (1) An individual shall receive benefits for any week of unemployment for which the individual filed a claim and reported in accordance with this rule and with the direction of the agency and for which the individual is otherwise eligible and qualified for benefits. In the case of an employer whose workers have filed either 1,000 or more new claims or additional claims, or both, in each of the previous 3 calendar years, the employer shall file claims on behalf of the workers, in a manner prescribed by the agency.

(2) As used in this rule:

- (a) "Additional claim" means a claim filed by an individual to reestablish eligibility for benefits after an interruption in the claim series during an existing benefit year caused by a period of employment.
- (b) "Claim series" means an uninterrupted period of weeks for which an individual claims benefits.
- (c) "Continued claim" means a report filed by an individual who has filed a new, additional, or reopened claim and who is certifying as to eligibility for benefits for 1 or more weeks of unemployment.
- (d) "Day of work" means a calendar day or portion of a calendar day on which an individual performed services for an employing unit under a contract of hire, including a calendar day or portion of a calendar day for which an individual received, or is entitled to receive, call-in pay. If an individual reports for work on a day on which the individual has been scheduled to work, but does not work because work is not available, then that day is considered a "day of work".
- (e) "Good cause for late filing of a new, additional, or reopened claim" and "good cause for late reporting to file a continued claim" means that there is a justifiable reason, determined in accordance with a standard of conduct expected of an individual acting as a reasonable person in the light of all the circumstances, that prevented a

timely filing or reporting to file as required by this rule. Examples of justifiable reasons that the agency may consider as constituting good cause include any of the following:

- (i) Acts of God.
- (ii) Working or reliance on a promise of work that did not materialize.
- (iii) Closing of agency offices, or the failure of the agency's telephonic or electronic equipment, during scheduled hours of operation.
- (iv) Delay or interruption in the delivery of mail or the delay or interruption of information by telephonic or other means by a business or governmental agency entrusted with the delivery of mail or of messages by telephonic or other means.
- (v) Personal physical incapacity or the physical incapacity or death of a relative or ward of either the individual or the individual's spouse or of any person living in the same household as the individual claiming benefits.
- (vi) Attendance at a funeral.
- (vii) Incarceration.
- (viii) Jury duty.

(f) "New claim" means a claim filed by an individual to establish eligibility for a new benefit year.

(g) "Reopened claim" means a claim filed by an individual to reestablish eligibility for benefits after an interruption in the claim series during an existing benefit year for a reason other than employment that is caused by a period of nonreporting.

(h) "Week of unemployment" means a week during which an individual is unemployed within the meaning of section 48 of 1936 PA 1, MCL 421.48.

(3) An individual shall file a new, additional, or reopened claim or shall report to file a continued claim as directed by the agency.

(4) To be filed on time and effective as of the beginning of the individual's first week of unemployment, a new or additional claim shall be received by the agency, in a manner prescribed by the agency, not later than the Friday after the end of the week containing the individual's last day of work. A reopened claim is effective as of the beginning of the week in which it is received by the agency.

(5) To be filed on time and effective for each week for which the individual is reporting to file, a continued claim shall be received by the agency, in a manner prescribed by the agency, not later than the Friday after the end of the last week of the period for which the claimant is instructed to report and has continued to report in a claim series. If an individual does not file a continued claim in a timely manner in accordance with this subrule, and if the filing is untimely without good cause, then the claim filed by the individual is a reopened claim.

(6) If an individual does not file a new, additional, or reopened claim as prescribed in subrules (4) and (5) of this rule, but files the new, additional, or reopened claim not later than the fourteenth calendar day after the time limits prescribed in subrules (4) and (5) of this rule, then the new, additional, or reopened claim is considered filed on time if the claimant has good cause for the lateness of the filing. If the claimant does not have good cause for the lateness of the filing, then the new, additional, or reopened claim is effective beginning with the week in which it is filed.

(7) If an individual does not report to file a continued claim within the time limits prescribed in subrules (4) and (5) of this rule, but reports to file the continued claim not later than the fourteenth calendar day after the time limits prescribed in subrules (4) and (5) of this rule, then the individual is considered to have reported on time to file the continued claim if the individual has good cause for the lateness of the reporting to file the continued claim. If the individual does not have good cause for the lateness of the reporting to file the continued claim, then the reporting to file the continued claim is a reopened claim.

(8) If an individual files a new, additional, or reopened claim or reports to file a continued claim by mail, then the claim or report is considered received by the agency as of the date the mail is received by the agency.

(9) If an individual files a new, additional, or reopened claim or reports to file a continued claim by deposit in a designated agency drop box, then it is presumed that the claim was received by the agency on the previous business day if gathered in the first retrieval of the day if this presumption is required for the new, additional, or reopened claim to be considered filed on time or the continued claim to be considered a timely report.

(10) If the claimant is unable to file a claim in a timely manner because the agency's services are unavailable, then the claim is considered filed on time if it is received by the agency on the next workday.

R 421.216 Waiver of seeking work.

Rule 216. (1) A laid off individual need not seek work if, under section 28(1)(a) of the act, this requirement is waived by the agency upon written notification by the individual's employer that the layoff is temporary and that work is expected to be available within 45 calendar days following the last day the individual worked. A waiver is effective if the agency receives notification from the employer before the individual is certified for his or her first compensable week following the layoff.

(2) The agency is authorized, under section 28(1)(a) of the act, to waive the seeking work requirement where the agency finds that suitable work is not available. Unless the agency determines that suitable work is available for an individual, suitable work will be presumed unavailable if the total unemployment rate for the state equals or exceeds 8.5%. In instances where the seeking work requirement is waived under section 28(1)(a) of the act, the individual shall be registered for work and shall not be in a period of disqualification.

(3) The agency may, under section 28(1)(a) of the act, waive the seeking work requirement if an individual is on a short-term layoff, as used in this rule, with a definite return-to-work date which is not later than 15 consecutive calendar days beginning with the first day of scheduled unemployment resulting from the layoff, and if the seeking work requirement is not waived for the individual under section 28(1)(a) of the act. The waiver under this subrule shall be based on the presumption that suitable work is not available for that individual. The presumption is based on the recognition that an individual on such a short-term layoff, as that term is used in this rule, is job-attached and is not likely to be hired by another employer for a short period. The agency shall verify, by telephone or written communication with the employer, that the layoff meets the criteria of this rule. The agency shall record the verification to include the return to work date and the name and title of the employer's representative verifying the date submitted. If the agency is unable to obtain confirmation from the employer at the time the claim is filed, then the determination as to whether the seeking work requirement is subject to waiver under this subrule shall be based on the evidence presented by the claimant. The application of a waiver in accordance with this subrule shall not extend beyond the above 15 consecutive calendar day period or the date the individual returns to work, whichever occurs first.

(4) The agency's authorization of the waiver of seeking work under subrules (1), (2), and (3) of this rule shall not relieve the unemployed individual claiming benefits of continuing to file claims pursuant to R 421.210 and being able and available to perform suitable full-time work.

**PROPOSED ADMINISTRATIVE RULES,
NOTICES OF PUBLIC HEARINGS**

MCL 24.242(3) states in part:

“... the agency shall submit a copy of the notice of public hearing to the office of regulatory reform for publication in the Michigan register. An agency's notice shall be published in the Michigan register before the public hearing and the agency shall file a copy of the notice of public hearing with the office of regulatory reform.”

MCL 24.208 states in part:

“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

** * **

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules.”

PROPOSED ADMINISTRATIVE RULES

ORR #2001-070

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

CONSTRUCTION SAFETY STANDARDS

Filed with the Secretary of State on
These rules take effect 7 days after filing with the Secretary of State

(By authority conferred on the director of the department of consumer and industry services by sections 19 and 21 of 1974 PA 154 and Executive Reorganization Order no. 1996-2, MCL 408.1019, 408.1021, and 445.2001)

R 408.42601, R 408.42606, R 408.42609, R 408.42610, R 408.42614, R 408.42618, and R 408.42640 of the Michigan Administrative Code are amended, R 408.42602, R 408.42604, R 408.42605, R 408.42608, R 408.42616, R 408.42620, R 408.42622, R 408.42626, R 408.42628, R 408.42629, R 408.42634, R 408.42636, R 408.42638, R 408.42643, R 408.42644, R 408.42645, R 408.42646, R 408.42648, R 408.42651, R 408.42653, and R 408.42655 are added to the Code, and R408.42615, R408.42617, R 408.42621, R 408.42623, R 408.42630, R 408.42632, R 408.42642, R 408.42650, R 408.42654, and R 408.42656 are rescinded as follows:

PART 26. STEEL ERECTION

R 408.42601 Scope.

Rule 2601. (1) THIS PART SETS FORTH REQUIREMENTS TO PROTECT EMPLOYEES FROM THE HAZARDS ASSOCIATED WITH STEEL ERECTION ACTIVITIES INVOLVED IN THE CONSTRUCTION, ALTERATION, OR REPAIR OF SINGLE AND MULTISTORY BUILDINGS, BRIDGES, AND OTHER STRUCTURES WHERE STEEL ERECTION OCCURS. THE REQUIREMENTS OF THIS PART APPLY TO EMPLOYERS ENGAGED IN STEEL ERECTION UNLESS OTHERWISE SPECIFIED. THIS PART DOES NOT APPLY TO ELECTRICAL TRANSMISSION TOWERS, COMMUNICATION AND BROADCAST TOWERS, OR TANKS. EXAMPLES OF STRUCTURES WHERE STEEL ERECTION MAY OCCUR, INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:

- (A) SINGLE AND MULTISTORY BUILDINGS.
- (B) SYSTEMS-ENGINEERED METAL BUILDINGS.
- (C) LIFT SLAB/TILT-UP STRUCTURES.
- (D) ENERGY EXPLORATION STRUCTURES.
- (E) ENERGY PRODUCTION.
- (F) TRANSFER AND STORAGE STRUCTURES AND FACILITIES.

(G) AUDITORIUMS.
(H) MALLS.
(I) AMPHITHEATERS.
(J) STADIUMS.
(K) POWER PLANTS.
(L) MILLS.
(M) CHEMICAL PROCESS STRUCTURES.
(N) BRIDGES.
(O) TRESTLES.
(P) OVERPASSES.
(Q) UNDERPASSES.
(R) VIADUCTS.
(S) AQUEDUCTS.
(T) AEROSPACE FACILITIES AND STRUCTURES.
(U) RADAR AND COMMUNICATION STRUCTURES.
April 5, 2002
(V) LIGHT TOWERS.
(W) SIGNAGE.
(X) BILLBOARDS.
(Y) SCOREBOARDS.
(Z) CONVEYOR SYSTEMS.
(AA) CONVEYOR SUPPORTS AND RELATED FRAMING.
(BB) STAIRWAYS.
(CC) STAIR TOWERS.
(DD) FIRE ESCAPES.
(EE) DRAFT CURTAINS.
(FF) FIRE CONTAINMENT STRUCTURES.
(GG) MONORAILS.
(HH) AERIALWAYS.
(II) CATWALKS.
(JJ) CURTAIN WALLS.
(KK) WINDOW WALLS.
(LL) STORE FRONTS.
(MM) ELEVATOR FRONTS.
(NN) ENTRANCES.
(OO) SKYLIGHTS.
(PP) METAL ROOFS.
(QQ) INDUSTRIAL STRUCTURES.
(RR) HI-BAY STRUCTURES.
(SS) RAIL MARINE, AND OTHER TRANSPORTATION STRUCTURES.
(TT) SOUND BARRIERS.
(UU) WATER PROCESS AND WATER CONTAINMENT STRUCTURES.
(VV) AIR AND CABLE-SUPPORTED STRUCTURES.
(WW) SPACE FRAMES.
(XX) GEODESIC DOMES.

(YY) CANOPIES.
(ZZ) RACKS AND RACK SUPPORT STRUCTURES AND FRAMES.
(AAA) PLATFORMS.
(BBB) WALKWAYS.
(CCC) BALCONIES.
(DDD) ATRIUMS.
(EEE) PENTHOUSES.
(FFF) CAR DUMPERS.
(GGG) STACKERS/RECLAIMERS.
(HHH) CRANES AND CRANEWAYS.

(III) BINS.
(JJJ) HOPPERS.
(KKK) OVENS.
(LLL) FURNACES.
(MMM) STACKS.
(NNN) AMUSEMENT PARK STRUCTURES AND RIDES.
(OOO) ARTISTIC AND MONUMENTAL STRUCTURES.

(2) STEEL ERECTION ACTIVITIES INCLUDE ALL OF THE FOLLOWING:

(A) HOISTING, LAYING OUT, PLACING, CONNECTING, WELDING, BURNING, GUYING, BRACING, BOLTING, PLUMBING, AND RIGGING STRUCTURAL STEEL, STEEL JOISTS, AND METAL BUILDINGS.

(B) INSTALLING METAL DECKING, CURTAIN WALLS, WINDOW WALLS, SIDING SYSTEMS, MISCELLANEOUS METALS, ORNAMENTAL IRON, AND SIMILAR MATERIALS.

(C) MOVING POINT-TO-POINT WHILE PERFORMING THE ACTIVITIES SPECIFIED IN THIS SUBRULE.

(3) ALL OF THE FOLLOWING ACTIVITIES ARE COVERED BY THIS PART WHEN THEY OCCUR DURING AND ARE A PART OF STEEL ERECTION ACTIVITIES:

(A) RIGGING.
(B) HOISTING.
(C) LAYING OUT.
(D) PLACING.
(E) CONNECTING.
(F) GUYING.
(G) BRACING.
(H) DISMANTLING.
(I) BURNING.
(J) WELDING.
(K) BOLTING.
(L) GRINDING.
(M) SEALING.
(N) CAULKING.

(O) ALL RELATED ACTIVITIES FOR CONSTRUCTION, ALTERATION OR REPAIR OF MATERIALS AND ASSEMBLIES SUCH AS ANY OF THE FOLLOWING:

(I) STRUCTURAL STEEL.
(II) FERROUS METALS AND ALLOYS.

- (III) NONFERROUS METALS AND ALLOYS.
- (IV) GLASS.
- (V) PLASTICS AND SYNTHETIC COMPOSITE MATERIALS.
- (VI) STRUCTURAL METAL FRAMING AND RELATED BRACING AND ASSEMBLIES.
- (VII) ANCHORING DEVICES.
- (VIII) STRUCTURAL CABLING.
- (IX) CABLE STAYS.
- (X) PERMANENT AND TEMPORARY BENTS AND TOWERS.
- (XI) FALSEWORK FOR TEMPORARY SUPPORTS OF PERMANENT STEEL MEMBERS.
- (XII) STONE AND OTHER NON-PRECAST CONCRETE ARCHITECTURAL MATERIALS MOUNTED ON STEEL FRAMES.
- (XIII) SAFETY SYSTEMS FOR STEEL ERECTION.
- (XIV) STEEL AND METAL JOISTS.
- (XV) METAL DECKING AND RACEWAY SYSTEMS AND ACCESSORIES.
- (XVI) METAL ROOFING AND ACCESSORIES.
- (XVII) METAL SIDING.
- (XVIII) BRIDGE FLOORING.
- (XIX) COLD FORMED STEEL FRAMING.
- (XX) ELEVATOR BEAMS.
- (XXI) GRILLAGE.
- (XXII) SHELF RACKS.
- (XXIII) MULTIPURPOSE SUPPORTS.
- (XXIV) CRANE RAILS AND ACCESSORIES.
- (XXV) MISCELLANEOUS, ARCHITECTURAL, AND ORNAMENTAL METALS AND METAL WORK.
- (XXVI) LADDERS.
- (XXVII) RAILINGS.
- (XXVIII) HANDRAILS.
- (XXIX) FENCES AND GATES.
- (XXX) GRATINGS.
- (XXXI) TRENCH COVERS.
- (XXXII) FLOOR PLATES.
- (XXXIII) CASTINGS.
- (XXXIV) SHEET METAL FABRICATIONS.
- (XXXV) METAL PANELS AND PANEL WALL SYSTEMS.
- (XXXVI) LOUVERS.
- (XXXVII) COLUMN COVERS.
- (XXXVIII) ENCLOSURES AND POCKETS.
- (XXXIX) STAIRS.
- (XL) PERFORATED METALS.
- (XLI) ORNAMENTAL IRON WORK.
- (XLII) EXPANSION CONTROL, INCLUDING BRIDGE EXPANSION JOINT ASSEMBLIES.
- (XLIII) SLIDE BEARINGS.
- (XLIV) HYDRAULIC STRUCTURES.
- (XLV) FASCIAS.

(XLVI) SOFFIT PANELS.
(XLVII) PENTHOUSE ENCLOSURES.
(XLVIII) SKYLIGHTS.
(XLIX) JOINT FILLERS.
(L) GASKETS.
(LI) SEALANTS AND SEALS.
(LII) DOORS.
(LIII) WINDOWS.
(LIV) HARDWARE.
(LV) DETENTION/SECURITY EQUIPMENT AND DOORS, WINDOWS, AND HARDWARE.
(LVI) CONVEYING SYSTEMS.
(LVII) BUILDING SPECIALTIES.
(LVIII) BUILDING EQUIPMENT.
(LIX) MACHINERY AND PLANT EQUIPMENT, FURNISHINGS, AND SPECIAL CONSTRUCTION.
(4) THE DUTIES OF CONTROLLING CONTRACTORS UNDER THIS PART INCLUDE, BUT ARE NOT LIMITED TO, THE DUTIES SPECIFIED IN R 408.42608(1) AND (3), R 408.42626(6), R 408.42644(2), AND R 408.42651(4). ~~This part pertains to flooring requirements, structural assembly, bolting, riveting, and plumbing up on a construction site.~~

R 408.42602 REFERENCE OF STANDARDS.

RULE 2602. (1) THE FOLLOWING OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATIVE STANDARDS ARE REFERENCED IN THIS STANDARD AND ARE AVAILABLE AT THE OFFICES OF THE MICHIGAN DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES, MIOSHA STANDARDS DIVISION, 7150 HARRIS DRIVE, BOX 30643, LANSING, MICHIGAN 48909-8143, OR VIA THE INTERNET AT WEB-SITE: WWW.CIS.STATE.MI.US/BSR/DIVISIONS/STD, AT NO COST AS OF THE TIME OF ADOPTION OF THESE RULES:

- (a) CONSTRUCTION SAFETY STANDARD PART 10 “LIFTING AND DIGGING EQUIPMENT,” BEING R 408.41001A ET SEQ. OF THE MICHIGAN ADMINISTRATIVE CODE.
- (b) CONSTRUCTION SAFETY STANDARD PART 45 “FALL PROTECTION,” BEING R408.44501 ET SEQ. OF THE MICHIGAN ADMINISTRATIVE CODE.

R 408.42604 DEFINITIONS; A TO C.

RULE 2604. (1) “ANCHORED BRIDGING” MEANS THAT THE STEEL JOIST BRIDGING IS CONNECTED TO A BRIDGING TERMINUS POINT.
(2) “BOLTED DIAGONAL BRIDGING” MEANS DIAGONAL BRIDGING THAT IS BOLTED TO A STEEL JOIST OR JOISTS.
(3) “BRIDGING CLIP” MEANS A DEVICE THAT IS ATTACHED TO THE STEEL JOIST TO ALLOW THE BOLTING OF THE BRIDGING TO THE STEEL JOIST.
(4) “BRIDGING TERMINUS POINT” MEANS A WALL, A BEAM, TANDEM JOISTS, WITH ALL BRIDGING INSTALLED AND A HORIZONTAL TRUSS IN THE PLANE OF THE TOP CHORD, OR OTHER ELEMENT AT AN END OR INTERMEDIATE POINT OR POINTS OF A LINE OF BRIDGING THAT PROVIDES AN ANCHOR POINT FOR THE STEEL JOIST BRIDGING.
(5) “CHOKER” MEANS A WIRE ROPE OR SYNTHETIC FIBER RIGGING ASSEMBLY THAT IS USED TO ATTACH A LOAD TO A HOISTING DEVICE.

- (6) “COLD FORMING” MEANS THE PROCESS OF USING PRESS BRAKES, ROLLS, OR OTHER METHODS TO SHAPE STEEL INTO DESIRED CROSS SECTIONS AT ROOM TEMPERATURE.
- (7) “COLUMN” MEANS A LOAD-CARRYING VERTICAL MEMBER THAT IS PART OF THE PRIMARY SKELETAL FRAMING SYSTEM. COLUMNS DO NOT INCLUDE POSTS.
- (8) “COMPETENT PERSON” MEANS A PERSON WHO IS EXPERIENCED AND CAPABLE OF IDENTIFYING AN EXISTING OR POTENTIAL HAZARD IN SURROUNDINGS, OR UNDER WORKING CONDITIONS, THAT ARE HAZARDOUS OR DANGEROUS TO AN EMPLOYEE AND WHO HAS THE AUTHORITY AND KNOWLEDGE TO TAKE PROMPT CORRECTIVE MEASURES TO ELIMINATE THE HAZARDS.
- (9) “CONNECTOR” MEANS AN EMPLOYEE WHO, WORKING WITH HOISTING EQUIPMENT, IS PLACING AND CONNECTING STRUCTURAL MEMBERS OR COMPONENTS.
- (10) “CONSTRUCTIBILITY” MEANS THE ABILITY TO ERECT STRUCTURAL STEEL MEMBERS IN ACCORDANCE WITH THESE RULES WITHOUT HAVING TO ALTER THE OVERALL STRUCTURAL DESIGN.
- (11) “CONSTRUCTION LOAD, FOR JOIST ERECTION,” MEANS ANY LOAD OTHER THAN THE WEIGHT OF THE EMPLOYEE OR EMPLOYEES, THE JOISTS, AND THE BRIDGING BUNDLE.
- (12) “CONTROLLED DECKING ZONE (CDZ)” MEANS AN AREA IN WHICH CERTAIN WORK, FOR EXAMPLE, INITIAL INSTALLATION AND PLACEMENT OF METAL DECKING, MAY TAKE PLACE WITHOUT THE USE OF GUARDRAIL SYSTEMS, PERSONAL FALL ARREST SYSTEMS, FALL RESTRAINT SYSTEMS, OR SAFETY NET SYSTEMS AND IN WHICH ACCESS TO THE ZONE IS CONTROLLED.
- (13) “CONTROLLED LOAD LOWERING” MEANS LOWERING A LOAD BY MEANS OF A MECHANICAL HOIST DRUM DEVICE THAT ALLOWS A HOISTED LOAD TO BE LOWERED WITH MAXIMUM CONTROL USING THE GEAR TRAIN OR HYDRAULIC COMPONENTS OF THE HOIST MECHANISM. CONTROLLED LOAD LOWERING REQUIRES THE USE OF THE HOIST DRIVE MOTOR, RATHER THAN THE LOAD HOIST BRAKE, TO LOWER THE LOAD.
- (14) “CONTROLLING CONTRACTOR” MEANS A PRIME CONTRACTOR, GENERAL CONTRACTOR, CONSTRUCTION MANAGER, OR ANY OTHER LEGAL ENTITY THAT HAS THE OVERALL RESPONSIBILITY FOR THE CONSTRUCTION OF THE PROJECT--ITS PLANNING, QUALITY, AND COMPLETION.
- (15) “CRITICAL LIFT” MEANS A LIFT THAT EXCEEDS 75% OF THE RATED CAPACITY OF THE CRANE OR DERRICK OR THAT REQUIRES THE USE OF MORE THAN 1 CRANE OR DERRICK.

R 408.42605 DEFINITIONS; D TO M.

- RULE 2605. (1) “DECKING HOLE” MEANS A GAP OR VOID MORE THAN 2 INCHES (5.1 cm) IN ITS LEAST DIMENSION AND LESS THAN 12 INCHES (30.5 cm) IN ITS GREATEST DIMENSION IN A FLOOR, ROOF, OR OTHER WALKING/WORKING SURFACE. PRE-ENGINEERED HOLES IN CELLULAR DECKING FOR WIRES, CABLES, AND THE LIKE ARE NOT INCLUDED IN THIS DEFINITION.
- (2) “DERRICK FLOOR” MEANS AN ELEVATED FLOOR OF A BUILDING OR STRUCTURE THAT HAS BEEN DESIGNATED TO RECEIVE HOISTED PIECES OF STEEL BEFORE FINAL PLACEMENT.
- (3) “DOUBLE CONNECTION” MEANS AN ATTACHMENT METHOD WHERE THE CONNECTION POINT IS INTENDED FOR 2 PIECES OF STEEL THAT SHARE COMMON BOLTS ON EITHER SIDE OF A CENTRAL PIECE.

(4) “DOUBLE CONNECTION SEAT” MEANS A STRUCTURAL ATTACHMENT THAT, DURING THE INSTALLATION OF A DOUBLE CONNECTION, SUPPORTS THE FIRST MEMBER WHILE THE SECOND MEMBER IS CONNECTED.

(5) “ERECTION BRIDGING” MEANS THE BOLTED DIAGONAL BRIDGING THAT IS REQUIRED TO BE INSTALLED BEFORE RELEASING THE HOISTING CABLES FROM THE STEEL JOISTS.

(6) “FALL RESTRAINT SYSTEM” MEANS A FALL PROTECTION SYSTEM THAT PREVENTS THE USER FROM FALLING ANY DISTANCE. THE SYSTEM IS COMPRISED OF EITHER A BODY BELT OR BODY HARNESS, TOGETHER WITH AN ANCHORAGE, CONNECTORS, AND OTHER NECESSARY EQUIPMENT. THE OTHER COMPONENTS TYPICALLY INCLUDE A LANYARD, AND MAY ALSO INCLUDE A LIFELINE AND OTHER DEVICES.

(7) “FINAL INTERIOR PERIMETER” MEANS THE PERIMETER OF A LARGE PERMANENT OPEN SPACE WITHIN A BUILDING SUCH AS AN ATRIUM OR COURTYARD. THIS DOES NOT INCLUDE OPENINGS FOR STAIRWAYS, ELEVATOR SHAFTS, AND THE LIKE.

(8) “GIRT, IN SYSTEMS-ENGINEERED METAL BUILDINGS” MEANS A “Z” OR “C” SHAPED MEMBER FORMED FROM SHEET STEEL SPANNING BETWEEN PRIMARY FRAMING AND SUPPORTING WALL MATERIAL.

(9) “HEADACHE BALL” MEANS A WEIGHTED HOOK THAT IS USED TO ATTACH LOADS TO THE HOIST LOAD LINE OF THE CRANE.

(10) “HOISTING EQUIPMENT” MEANS COMMERCIALY MANUFACTURED LIFTING EQUIPMENT DESIGNED TO LIFT AND POSITION A LOAD OF KNOWN WEIGHT TO A LOCATION AT SOME KNOWN ELEVATION AND HORIZONTAL DISTANCE FROM THE EQUIPMENT'S CENTER OF ROTATION. “HOISTING EQUIPMENT” INCLUDES, BUT IS NOT LIMITED TO, ALL OF THE FOLLOWING:

- (A) CRANES.
- (B) DERRICKS.
- (C) TOWER CRANES.
- (D) BARGE-MOUNTED DERRICKS OR CRANES.
- (E) GIN POLES.
- (F) GANTRY HOIST SYSTEMS.

A “COME-A-LONG,” THAT IS, A MECHANICAL DEVICE, USUALLY CONSISTING OF A CHAIN OR CABLE ATTACHED AT EACH END, THAT IS USED TO FACILITATE MOVEMENT OF MATERIALS THROUGH LEVERAGE IS NOT CONSIDERED “HOISTING EQUIPMENT.”

(11) “LEADING EDGE” MEANS THE UNPROTECTED SIDE AND EDGE OF A FLOOR, ROOF, OR FORMWORK FOR A FLOOR OR OTHER WALKING/WORKING SURFACE, SUCH AS A DECK, WHICH CHANGES LOCATION AS ADDITIONAL FLOOR, ROOF, DECKING, OR FORMWORK SECTIONS ARE PLACED, FORMED, OR CONSTRUCTED.

(12) “METAL DECKING” MEANS A COMMERCIALY MANUFACTURED, STRUCTURAL GRADE, COLD-ROLLED METAL PANEL FORMED INTO A SERIES OF PARALLEL RIBS. AS USED IN THIS PART, THE TERM INCLUDES METAL FLOOR AND ROOF DECKS, STANDING SEAM METAL ROOFS, OTHER METAL ROOF SYSTEMS, AND OTHER PRODUCTS, SUCH AS BAR GRATINGS, CHECKER PLATE, EXPANDED METAL PANELS, AND SIMILAR PRODUCTS. AFTER INSTALLATION AND PROPER FASTENING, THESE DECKING MATERIALS SERVE A COMBINATION OF FUNCTIONS, INCLUDING, BUT NOT LIMITED TO, ANY OF THE FOLLOWING:

- (A) A STRUCTURAL ELEMENT DESIGNED IN COMBINATION WITH THE STRUCTURE TO RESIST, DISTRIBUTE, AND TRANSFER LOADS, STIFFEN THE STRUCTURE, AND PROVIDE A DIAPHRAGM ACTION.
- (B) A WALKING/WORKING SURFACE.
- (C) A FORM FOR CONCRETE SLABS.
- (D) A SUPPORT FOR ROOFING SYSTEMS.
- (E) A FINISHED FLOOR OR ROOF.
- (13) “MULTIPLE LIFT RIGGING” MEANS A RIGGING ASSEMBLY MANUFACTURED BY WIRE ROPE RIGGING SUPPLIERS THAT FACILITATES THE ATTACHMENT OF UP TO 5 INDEPENDENT LOADS TO THE HOIST RIGGING OF A CRANE.

R 408.42606 Definitions; O TO U C to T.

Rule 2606. (1) “OPENING” MEANS A GAP OR VOID 12 INCHES (30.5 cm) OR MORE IN ITS LEAST DIMENSION IN A FLOOR, ROOF, OR OTHER WALKING/WORKING SURFACE. FOR THE PURPOSES OF THIS PART, SKYLIGHTS AND SMOKE DOMES THAT DO NOT MEET THE STRENGTH REQUIREMENTS OF R 408.42622(4), (5), (6), AND (7) SHALL BE REGARDED AS OPENINGS.

(2) “PERMANENT FLOOR” MEANS A STRUCTURALLY COMPLETED FLOOR AT ANY LEVEL OR ELEVATION, INCLUDING SLAB ON GRADE.

(3) “PERSONAL FALL ARREST SYSTEM” MEANS A SYSTEM USED TO ARREST AN EMPLOYEE IN A FALL FROM A WORKING LEVEL. A PERSONAL FALL ARREST SYSTEM CONSISTS OF AN ANCHORAGE, CONNECTORS, A BODY HARNESS, AND MAY INCLUDE A LANYARD, DECELERATION DEVICE, LIFELINE, OR SUITABLE COMBINATION OF THESE. THE USE OF A BODY BELT FOR FALL ARREST IS PROHIBITED.

~~(4) “Combination building” is a structure that incorporates both tier structure and lofted structure design.~~

~~(2) “Connector” means an employee who is performing or is supervising initial connections for major integral structural members.~~

~~(3) “Joist” means an open web, load-carrying member suitable for the direct support of floors and roof decks in a structure.~~

~~(4) “Lanyard” means a device suitable for supporting 1 person. Refer to construction safety standard, Part 6. Personal Protective Equipment, being R 408.40601 et seq. of the Michigan Administrative Code.~~

~~(5) “Lofted building” means a structure which consists essentially of exterior and interior framework with no intermediate floors.~~

(4) (6) “Plumbing up” means securing to obtain vertical alignment.

(5) “POSITIONING DEVICE SYSTEM” MEANS A BODY BELT OR BODY HARNESS RIGGED TO ALLOW AN EMPLOYEE TO BE SUPPORTED ON AN ELEVATED, VERTICAL SURFACE, SUCH AS A WALL OR COLUMN, AND WORK WITH BOTH HANDS FREE WHILE LEANING.

(6) “POST” MEANS A STRUCTURAL MEMBER WHICH HAS A LONGITUDINAL AXIS THAT IS ESSENTIALLY VERTICAL, AND WHICH EITHER WEIGHS 300 POUNDS OR LESS AND IS AXIALLY LOADED (A LOAD PRESSES DOWN ON THE TOP END) OR IS NOT AXIALLY LOADED, BUT IS Laterally RESTRAINED BY THE ABOVE MEMBER. POSTS TYPICALLY SUPPORT STAIR LANDINGS, WALL FRAMING, MEZZANINES, AND OTHER SUBSTRUCTURES.

(7) “PROJECT STRUCTURAL ENGINEER OF RECORD” MEANS THE REGISTERED, LICENSED PROFESSIONAL WHO IS RESPONSIBLE FOR THE DESIGN OF STRUCTURAL STEEL FRAMING AND WHOSE SEAL APPEARS ON THE STRUCTURAL CONTRACT DOCUMENTS.

(8) “PURLIN, IN SYSTEMS-ENGINEERED METAL BUILDINGS,” MEANS A “Z” OR “C” SHAPED MEMBER FORMED FROM SHEET STEEL SPANNING BETWEEN PRIMARY FRAMING AND SUPPORTING ROOF MATERIAL.

(9) “QUALIFIED PERSON” MEANS AN INDIVIDUAL WHO, BY POSSESSION OF A RECOGNIZED DEGREE, CERTIFICATE, OR PROFESSIONAL STANDING OR BY EXTENSIVE KNOWLEDGE, TRAINING, AND EXPERIENCE, HAS SUCCESSFULLY DEMONSTRATED THE ABILITY TO SOLVE OR RESOLVE PROBLEMS RELATING TO THE SUBJECT MATTER, THE WORK, OR THE PROJECT.

(10) “SAFETY DECK ATTACHMENT” MEANS AN INITIAL ATTACHMENT THAT IS USED TO SECURE AN INITIALLY PLACED SHEET OF DECKING TO KEEP PROPER ALIGNMENT AND BEARING WITH STRUCTURAL SUPPORT MEMBERS.

(11) “SHEAR CONNECTOR” MEANS HEADED STEEL STUDS, STEEL BARS, STEEL LUGS, AND SIMILAR DEVICES THAT ARE ATTACHED TO A STRUCTURAL MEMBER FOR THE PURPOSE OF ACHIEVING COMPOSITE ACTION WITH CONCRETE.

(12) “STEEL ERECTION” MEANS THE CONSTRUCTION, ALTERATION, OR REPAIR OF STEEL BUILDINGS, BRIDGES, AND OTHER STRUCTURES, INCLUDING THE INSTALLATION OF METAL DECKING AND ALL PLANKING USED DURING THE PROCESS OF ERECTION.

(13) “STEEL JOIST” MEANS AN OPEN WEB, SECONDARY LOAD-CARRYING MEMBER WHICH IS 144 FEET (43.9 m) OR LESS, WHICH IS DESIGNED BY THE MANUFACTURER, AND WHICH IS USED FOR THE SUPPORT OF FLOORS AND ROOFS. THIS DOES NOT INCLUDE STRUCTURAL STEEL TRUSSES OR COLD-FORMED JOISTS.

(14) “STEEL JOIST GIRDER” MEANS AN OPEN WEB, PRIMARY LOAD-CARRYING MEMBER WHICH IS DESIGNED BY THE MANUFACTURER AND WHICH IS USED FOR THE SUPPORT OF FLOORS AND ROOFS. THE TERM DOES NOT INCLUDE STRUCTURAL STEEL TRUSSES.

(15) “STEEL TRUSS” MEANS AN OPEN WEB MEMBER DESIGNED OF STRUCTURAL STEEL COMPONENTS BY THE PROJECT STRUCTURAL ENGINEER OF RECORD. FOR THE PURPOSES OF THIS PART, A STEEL TRUSS IS CONSIDERED EQUIVALENT TO A SOLID WEB STRUCTURAL MEMBER.

(16) “STRUCTURAL STEEL” MEANS A STEEL MEMBER OR A MEMBER MADE OF A SUBSTITUTE MATERIAL, SUCH AS, BUT NOT LIMITED TO, FIBERGLASS, ALUMINUM, OR COMPOSITE MEMBERS. THESE MEMBERS INCLUDE, BUT ARE NOT LIMITED TO, ALL OF THE FOLLOWING THAT ARE INTEGRATED WITH THE STRUCTURAL STEEL FRAMING OF A BUILDING:

- (A) STEEL JOISTS.
- (B) JOIST GIRDERS.
- (C) PURLINS.
- (D) COLUMNS.
- (E) BEAMS.
- (F) TRUSSES.
- (G) SPLICES.
- (H) SEATS.
- (I) METAL DECKING.
- (J) GIRTS.
- (K) BRIDGING.
- (L) COLD-FORMED METAL FRAMING.

(17) **SYSTEMS-ENGINEERED METAL BUILDING** MEANS A METAL, FIELD-ASSEMBLED BUILDING SYSTEM CONSISTING OF FRAMING, ROOF, AND WALL COVERINGS. TYPICALLY, MANY OF THESE COMPONENTS ARE COLD-FORMED SHAPES. THESE INDIVIDUAL PARTS ARE FABRICATED IN 1 OR MORE MANUFACTURING FACILITIES AND SHIPPED TO THE JOBSITE FOR ASSEMBLY INTO THE FINAL STRUCTURE. THE ENGINEERING DESIGN OF THE SYSTEM IS NORMALLY THE RESPONSIBILITY OF THE SYSTEMS-ENGINEERED METAL BUILDING MANUFACTURER.

(18) **"TANK"** MEANS A CONTAINER FOR HOLDING GASES, LIQUIDS, OR SOLIDS.

(19) **"UNPROTECTED SIDES AND EDGES"** MEANS ANY SIDE OR EDGE, EXCEPT AT ENTRANCES TO POINTS OF ACCESS, OF A WALKING/WORKING SURFACE, FOR EXAMPLE, A FLOOR, ROOF, RAMP, OR RUNWAY, WHERE THERE IS NO WALL OR GUARDRAIL SYSTEM NOT LESS THAN 39 INCHES (1.0 m) HIGH.

~~(7) "Precast" means members cast or assembled before erection.~~

~~(8) "Qualified person" means a person, who because of education or training, is knowledgeable of the erection methods, materials, and hazards of the work to be performed.~~

~~(9) "Tag line" means a rope used to guide an object during hoisting.~~

~~(10) "Tier building" means a multistory structure.~~

R 408.42608 SITE LAYOUT, ERECTION PLAN AND CONSTRUCTION SEQUENCE.

RULE 2608. (1) BEFORE AUTHORIZING THE COMMENCEMENT OF STEEL ERECTION, THE CONTROLLING CONTRACTOR SHALL ENSURE THAT THE STEEL ERECTOR IS PROVIDED WITH THE FOLLOWING WRITTEN NOTIFICATIONS:

(a) THE CONCRETE IN THE FOOTINGS, PIERS, AND WALLS AND THE MORTAR IN THE MASONRY PIERS AND WALLS HAS ATTAINED, ON THE BASIS OF AN APPROPRIATE ASTM STANDARD TEST METHOD OF FIELD-CURED SAMPLES, EITHER 75% OF THE INTENDED MINIMUM COMPRESSIVE DESIGN STRENGTH OR SUFFICIENT STRENGTH TO SUPPORT THE LOADS IMPOSED DURING STEEL ERECTION.

(b) ANY REPAIRS, REPLACEMENTS, AND MODIFICATIONS TO THE ANCHOR BOLTS WERE CONDUCTED IN ACCORDANCE WITH R 408.42626(6).

(2) A STEEL ERECTION CONTRACTOR SHALL NOT ERECT STEEL UNLESS IT HAS RECEIVED WRITTEN NOTIFICATION THAT THE CONCRETE IN THE FOOTINGS, PIERS, AND WALLS OR THE MORTAR IN THE MASONRY PIERS AND WALLS HAS ATTAINED, ON THE BASIS OF AN APPROPRIATE ASTM STANDARD TEST METHOD OF FIELD-CURED SAMPLES, EITHER 75% OF THE INTENDED MINIMUM COMPRESSIVE DESIGN STRENGTH OR SUFFICIENT STRENGTH TO SUPPORT THE LOADS IMPOSED DURING STEEL ERECTION.

(3) THE CONTROLLING CONTRACTOR SHALL ENSURE THAT BOTH OF THE FOLLOWING ARE PROVIDED AND MAINTAINED:

(a) ADEQUATE ACCESS ROADS INTO AND THROUGH THE SITE FOR THE SAFE DELIVERY AND MOVEMENT OF DERRICKS, CRANES, TRUCKS, OTHER NECESSARY EQUIPMENT, AND THE MATERIAL TO BE ERECTED AND MEANS AND METHODS FOR PEDESTRIAN AND VEHICULAR CONTROL. HOWEVER, THIS REQUIREMENT DOES NOT APPLY TO ROADS OUTSIDE OF THE CONSTRUCTION SITE.

(b) A FIRM, PROPERLY GRADED, DRAINED AREA WHICH IS READILY ACCESSIBLE TO THE WORK AND WHICH HAS ADEQUATE SPACE FOR THE SAFE STORAGE OF MATERIALS AND THE SAFE OPERATION OF THE ERECTOR'S EQUIPMENT.

(4) ALL HOISTING OPERATIONS IN STEEL ERECTION SHALL BE PREPLANNED TO ENSURE THAT THE REQUIREMENTS OF R 408.42609(4) AND (5).

(5) IF AN EMPLOYER ELECTS, DUE TO CONDITIONS SPECIFIC TO THE SITE, TO DEVELOP ALTERNATE MEANS AND METHODS THAT PROVIDE EMPLOYEE PROTECTION IN ACCORDANCE WITH R 408.42609(3), R 408.42634(4), OR R 408.42638(4), THEN A SITE-SPECIFIC ERECTION PLAN SHALL BE DEVELOPED BY A QUALIFIED PERSON AND BE AVAILABLE AT THE WORK SITE. GUIDELINES FOR ESTABLISHING A SITE-SPECIFIC ERECTION PLAN ARE CONTAINED IN APPENDIX A.

R 408.42609 HOISTING AND RIGGING. ~~Connectors.~~

Rule 2609. (1) ALL THE PROVISIONS OF CONSTRUCTION SAFETY STANDARD PART 10 "LIFTING AND DIGGING EQUIPMENT," BEING R 408.41001A ET SEQ., WHICH ARE REFERENCED IN R 408.42602, APPLY TO HOISTING AND RIGGING.

(2) ~~(4)~~ Where the work area is inaccessible or hazardous to reach by other means, a maximum of 2 connectors may ride the headache ball to and from the workstation with the knowledge and consent of the employer or the employer's designated representative. When a connector or connectors are allowed to ride the headache ball, a load shall not be attached to the load line.

(3) SAFETY LATCHES ON HOOKS SHALL NOT BE DEACTIVATED OR MADE INOPERABLE, EXCEPT IN EITHER OF THE FOLLOWING SITUATIONS:

(a) WHEN A QUALIFIED RIGGER HAS DETERMINED THAT THE HOISTING AND PLACING OF PURLINS AND SINGLE JOISTS CAN BE PERFORMED MORE SAFELY BY DOING SO.

(b) WHEN EQUIVALENT PROTECTION IS PROVIDED IN A SITE-SPECIFIC ERECTION PLAN.

(4) ROUTES FOR SUSPENDED LOADS SHALL BE PREPLANNED TO ENSURE THAT NO EMPLOYEE IS REQUIRED TO WORK DIRECTLY BELOW A SUSPENDED LOAD, EXCEPT FOR THE FOLLOWING EMPLOYEES:

(a) EMPLOYEES ENGAGED IN THE INITIAL CONNECTION OF THE STEEL.

(b) EMPLOYEES NECESSARY FOR THE HOOKING OR UNHOOKING OF THE LOAD.

(5) WHEN WORKING UNDER SUSPENDED LOADS, ALL OF THE FOLLOWING CRITERIA SHALL BE MET:

(a) MATERIALS BEING HOISTED SHALL BE RIGGED TO PREVENT UNINTENTIONAL DISPLACEMENT.

(b) HOOKS WITH SELF-CLOSING SAFETY LATCHES OR THEIR EQUIVALENT SHALL BE USED TO PREVENT COMPONENTS FROM SLIPPING OUT OF THE HOOK.

(c) ALL LOADS SHALL BE RIGGED BY A QUALIFIED RIGGER.

~~(2) When connectors will be making initial connections of major integral structural members at heights of more than 30 feet, the employer shall comply with at least 1 of the following provisions:~~

~~(a) Install safety nets as prescribed in R 408.42656 to protect the connectors.~~

~~(b) Require the connectors to use safety belts and lanyards as prescribed in R 408.42632.~~

~~(c) Suspend the fall protection devices, with the knowledge and consent of the connectors, when the hazards involved in the installation of safety nets or the use of safety belts and lanyards by the connectors exceed the hazards involved in making the initial connections of major integral structural members or when providing such protection is impossible and there is no alternative means of protecting the connectors during initial connections of major integral structural members.~~

R 408.42610 MULTIPLE LIFT RIGGING PROCEDURE. ~~Employee protection.~~

Rule 2610. (1) A MULTIPLE LIFT SHALL ONLY BE PERFORMED IF ALL OF THE FOLLOWING CRITERIA ARE MET:

- (a) A MULTIPLE LIFT RIGGING ASSEMBLY IS USED.
- (b) A MAXIMUM OF 5 MEMBERS ARE HOISTED PER LIFT.
- (c) ONLY BEAMS AND SIMILAR STRUCTURAL MEMBERS ARE LIFTED.
- (d) ALL EMPLOYEES ENGAGED IN THE MULTIPLE LIFT HAVE BEEN TRAINED IN MULTIPLE LIFT PROCEDURES IN ACCORDANCE WITH R 408.42655(1).
- (e) A CRANE SHALL NOT BE USED FOR A MULTIPLE LIFT WHERE SUCH USE IS CONTRARY TO THE MANUFACTURER'S SPECIFICATIONS AND LIMITATIONS.
- (2) COMPONENTS OF THE MULTIPLE LIFT RIGGING ASSEMBLY SHALL BE SPECIFICALLY DESIGNED AND ASSEMBLED WITH A MAXIMUM CAPACITY FOR TOTAL ASSEMBLY AND FOR EACH INDIVIDUAL ATTACHMENT POINT. THIS CAPACITY, CERTIFIED BY THE MANUFACTURER OR A QUALIFIED RIGGER, SHALL BE BASED ON THE MANUFACTURER'S SPECIFICATIONS WITH A 5 TO 1 SAFETY FACTOR FOR ALL COMPONENTS.
- (3) THE TOTAL LOAD SHALL NOT EXCEED EITHER OF THE FOLLOWING:
 - (a) THE RATED CAPACITY OF THE HOISTING EQUIPMENT SPECIFIED IN THE HOISTING EQUIPMENT LOAD CHARTS.
 - (b) THE RIGGING CAPACITY SPECIFIED IN THE RIGGING RATING CHART.
- (4) THE MULTIPLE LIFT RIGGING ASSEMBLY SHALL BE RIGGED WITH MEMBERS ATTACHED AT THEIR CENTER OF GRAVITY AND MAINTAINED REASONABLY LEVEL, RIGGED FROM TOP DOWN, AND RIGGED NOT LESS THAN 7 FEET (2.1 m) APART.
- (5) THE MEMBERS ON THE MULTIPLE LIFT RIGGING ASSEMBLY SHALL BE SET FROM THE BOTTOM UP.
- (6) CONTROLLED LOAD LOWERING SHALL BE USED WHENEVER THE LOAD IS OVER THE CONNECTORS.

~~Any employee engaged in any work operation other than initial connection of major integral structural members, such as, but not limited to, bolting, welding, riveting, or touch up painting, at elevations in excess of 30 feet shall be protected at the work locations through the use of safety belts and lanyards or safety nets as prescribed in R 408.42632 and R 408.42656.~~

R 408.42614 Structural steel assembly.

Rule 2614. (1) STRUCTURAL STABILITY SHALL BE MAINTAINED AT ALL TIMES DURING THE ERECTION PROCESS.

- (2) ALL OF THE FOLLOWING ADDITIONAL REQUIREMENTS SHALL APPLY FOR MULTISTORY STRUCTURES:
 - (a) THE PERMANENT FLOORS SHALL BE INSTALLED AS THE ERECTION OF STRUCTURAL MEMBERS PROGRESSES, AND THERE SHALL BE NOT MORE THAN 8 STORIES BETWEEN THE ERECTION FLOOR AND THE UPPERMOST PERMANENT FLOOR, EXCEPT WHERE THE STRUCTURAL INTEGRITY IS MAINTAINED AS A RESULT OF THE DESIGN.
 - (b) THERE SHALL NOT BE MORE THAN 4 FLOORS OR 48 FEET (14.6 m), WHICHEVER IS LESS, OF UNFINISHED BOLTING OR WELDING ABOVE THE FOUNDATION OR UPPERMOST PERMANENTLY SECURED FLOOR, EXCEPT WHERE THE STRUCTURAL INTEGRITY IS MAINTAINED AS A RESULT OF THE DESIGN.

(c) A FULLY PLANKED OR DECKED FLOOR OR NETS SHALL BE MAINTAINED WITHIN 2 STORIES OR 30 FEET (9.1 m), WHICHEVER IS LESS, DIRECTLY UNDER ANY ERECTION WORK BEING PERFORMED.

~~(1) During the final placing of structural steel members, the load shall not be released from the hoisting line until the member is secured by not less than 2 bolts or their equivalent at each support.~~

~~(2) Open web steel joists shall not be placed on any structural steel framework unless the framework is bolted or welded to withstand the dead load, wind, and erection stresses.~~

~~(3) Where open web steel joists are used in steel framing and the columns are framed in less than 2 directions or the joists are incapable of self support, joists shall be field bolted or welded to provide lateral stability during erection.~~

~~(4) Where joists more than 40 feet long or joists incapable of self support are used, a center row of bolted or welded bridging shall be installed to provide lateral stability during erection before releasing the hoisting line. A load shall not be placed on the open web steel joists until this is done.~~

~~(5) An appropriate tag line shall be used to control the movement of loads during hoisting, when necessary, for the protection of employees.~~

R 408.42615 RESCINDED.

~~R 408.42615 Precast assembly.~~

~~Rule 2615. (1) An erection and procedure plan, including placement of connections, shall be prepared by a qualified person knowledgeable in precast concrete erection and be kept available at the jobsite.~~

~~(2) The lifting attachments in the precast concrete shall provide sufficient strength, and be properly designed by a currently registered civil engineer, for the maximum anticipated loads, including impact. Bent bars of concrete reinforcing steel shall not be used as lifting attachments.~~

~~(3) Precast concrete wall units and vertical panels shall be braced to prevent collapse. A permanent connection may be used instead of bracing if it is capable of withstanding all loads imposed during erection.~~

~~(4) An employee shall not be permitted under a precast section, wall, or panel during lifting and tilting operations, except for the erection crew.~~

~~(5) When vacuum lifting concrete panels, slabs, or other structural members lifting surfaces shall be clean, well bonded, and monolithic before vacuum lifting is attempted.~~

~~(6) Each lift slab project shall be planned in advance to determine whether or not temporary supports or bracing is required during the erection stage. Conclusions reached shall be justified by calculations and described in sketches or written instructions approved by a professional engineer or architect. A jack shall not be loaded beyond its rated load. The threaded rods or other members that transmit load to the jacks shall have a safety factor of 2.5 to 1. Formwork and falsework or shoring for the support of concrete or other materials shall be designed, erected, supported, braced, and maintained so as to assure its ability to safely withstand all intended loads during erection, construction, usage, and removal.~~

~~(7) Lifting devices, other than jacks covered by subrule (6) of this rule, shall be of sufficient strength and design to provide a safety factor not less than 5 times the working load.~~

~~(8) Defective equipment shall be removed from service.~~

R 408.42616 WALKING AND WORKING SURFACES.

RULE 2616. (1) SHEAR CONNECTORS, SUCH AS HEADED STEEL STUDS, STEEL BARS, OR STEEL LUGS, REINFORCING BARS, DEFORMED ANCHORS, OR THREADED STUDS SHALL NOT BE ATTACHED TO THE TOP FLANGES OF BEAMS, JOISTS, OR BEAM ATTACHMENTS SO

THAT THEY PROJECT VERTICALLY FROM OR HORIZONTALLY ACROSS THE TOP FLANGE OF THE MEMBER UNTIL AFTER THE METAL DECKING OR OTHER WALKING/WORKING SURFACE HAS BEEN INSTALLED.

(2) IF SHEAR CONNECTORS ARE USED IN THE CONSTRUCTION OF COMPOSITE FLOORS, ROOFS, AND BRIDGE DECKS, THEN EMPLOYEES SHALL LAY OUT AND INSTALL THE SHEAR CONNECTORS AFTER THE METAL DECKING HAS BEEN INSTALLED, USING THE METAL DECKING AS A WORKING PLATFORM. SHEAR CONNECTORS SHALL NOT BE INSTALLED FROM WITHIN A CONTROLLED DECKING ZONE (CDZ), AS SPECIFIED IN R 408.42648(1)(g).

(3) SLIP RESISTANCE OF SKELETAL STRUCTURAL STEEL. WORKERS SHALL NOT BE PERMITTED TO WALK THE TOP SURFACE OF ANY STRUCTURAL STEEL MEMBER INSTALLED AFTER JULY 18, 2006, THAT HAS BEEN COATED WITH PAINT OR SIMILAR MATERIAL, UNLESS DOCUMENTATION OR CERTIFICATION THAT THE COATING HAS ACHIEVED A MINIMUM AVERAGE SLIP RESISTANCE OF .50 WHEN MEASURED WITH AN ENGLISH XL TRIBOMETER OR EQUIVALENT TESTER ON A WETTED SURFACE AT A TESTING LABORATORY IS PROVIDED. SUCH DOCUMENTATION OR CERTIFICATION SHALL BE BASED ON THE APPROPRIATE ASTM STANDARD TEST METHOD CONDUCTED BY A LABORATORY CAPABLE OF PERFORMING THE TEST. THE RESULTS SHALL BE AVAILABLE AT THE SITE AND TO THE STEEL ERECTOR. (APPENDIX B REFERENCES APPROPRIATE ASTM STANDARD TEST METHODS THAT MAY BE USED TO COMPLY WITH THIS SUBRULE.)

R 408.42617 RESCINDED.

~~R 408.42617 Bolting and riveting.~~

~~Rule 2617. (1) A container shall be provided for storing and carrying fasteners, such as bolts and rivets and drift pins. The container shall be secured against inadvertent displacement when there is a possibility of the container falling.~~

~~(2) When a bolt, drift pin, or rivet is knocked out, a means shall be provided to prevent it from falling.~~

~~(3) Riveting shall not be done in the vicinity of combustible material unless precautions are taken to prevent fire.~~

R 408.42618 Plumbing-up.

Rule 2618. (1) Turnbuckles and other apparatus used in plumbing up shall be accessible to the employees for adjustment and dismantling. Connections of the equipment used in plumbing up shall be secured. The turnbuckles shall be secured to prevent unwinding while under stress.

~~(2) Plumbing up guy cables shall be removed under the supervision of a qualified person.~~

(2) WHEN DEEMED NECESSARY BY A COMPETENT PERSON, PLUMBING-UP EQUIPMENT SHALL BE INSTALLED IN CONJUNCTION WITH THE STEEL ERECTION PROCESS TO ENSURE THE STABILITY OF THE STRUCTURE.

(3) WHEN USED, PLUMBING-UP EQUIPMENT SHALL BE IN PLACE AND PROPERLY INSTALLED BEFORE THE STRUCTURE IS LOADED WITH CONSTRUCTION MATERIAL SUCH AS LOADS OF JOISTS, BUNDLES OF DECKING, OR BUNDLES OF BRIDGING.

(4) PLUMBING-UP EQUIPMENT SHALL BE REMOVED ONLY WITH THE APPROVAL OF A COMPETENT PERSON.

R 408.42620 METAL DECKING AND DECKING BUNDLES.

RULE 2620. (1) BUNDLE PACKAGING AND STRAPPING SHALL NOT BE USED FOR HOISTING UNLESS SPECIFICALLY DESIGNED FOR THAT PURPOSE.

(2) IF LOOSE ITEMS SUCH AS DUNNAGE, FLASHING, OR OTHER MATERIALS ARE PLACED ON THE TOP OF METAL DECKING BUNDLES TO BE HOISTED, SUCH ITEMS SHALL BE SECURED TO THE BUNDLES.

(3) BUNDLES OF METAL DECKING ON JOISTS SHALL BE LANDED IN ACCORDANCE WITH R 408.42638(4).

(4) METAL DECKING BUNDLES SHALL BE LANDED ON FRAMING MEMBERS SO THAT ENOUGH SUPPORT IS PROVIDED TO ALLOW THE BUNDLES TO BE UNBANDED WITHOUT DISLODGING THE BUNDLES FROM THE SUPPORTS.

(5) AT THE END OF THE SHIFT OR WHEN ENVIRONMENTAL OR JOBSITE CONDITIONS REQUIRE, METAL DECKING SHALL BE SECURED AGAINST DISPLACEMENT.

R 408.42621 RESCINDED.

~~R 408.42621 Tier building erection; temporary flooring.~~

~~Rule 2621. (1) A temporary floor shall be installed and maintained within 2 stories or 30 feet, whichever is less, below and directly under that portion of each tier of beams being erected or on which bolting, riveting, welding, or touch up painting is being done.~~

~~(2) A temporary floor shall be installed on the derrick or erection floor.~~

R 408.42622 ROOF, HOLES AND OPENINGS.

RULE 2622. (1) FRAMED METAL DECK OPENINGS SHALL HAVE STRUCTURAL MEMBERS TURNED DOWN TO ALLOW CONTINUOUS DECK INSTALLATION, EXCEPT WHERE NOT ALLOWED BY STRUCTURAL DESIGN CONSTRAINTS OR CONSTRUCTIBILITY.

(2) ROOF AND FLOOR HOLES AND OPENINGS SHALL BE DECKED OVER. IF HOLE OR OPENING SIZE, CONFIGURATION, OR OTHER STRUCTURAL DESIGN DOES NOT ALLOW OPENINGS TO BE DECKED OVER, SUCH AS WITH ELEVATOR SHAFTS, STAIR WELLS, AND THE LIKE, THEN EMPLOYEES SHALL BE PROTECTED IN ACCORDANCE WITH R 408.42645(1).

(3) METAL DECKING HOLES AND OPENINGS SHALL NOT BE CUT UNTIL IMMEDIATELY BEFORE BEING PERMANENTLY FILLED WITH THE EQUIPMENT OR STRUCTURE NEEDED OR INTENDED TO FULFILL ITS SPECIFIC USE AND WHICH MEETS THE STRENGTH REQUIREMENTS OF R 408.42622(4), (5), (6), AND (7) OR SHALL BE IMMEDIATELY COVERED.

(4) COVERS FOR ROOF AND FLOOR OPENINGS SHALL BE CAPABLE OF SUPPORTING, WITHOUT FAILURE, TWICE THE WEIGHT OF THE EMPLOYEES, EQUIPMENT, AND MATERIALS THAT MAY BE IMPOSED ON THE COVER AT ANY 1 TIME.

(5) ALL COVERS SHALL BE SECURED WHEN INSTALLED TO PREVENT ACCIDENTAL DISPLACEMENT BY THE WIND, EQUIPMENT, OR EMPLOYEES.

(6) ALL COVERS SHALL BE PAINTED WITH HIGH-VISIBILITY PAINT OR SHALL BE MARKED WITH THE WORD "HOLE" OR "COVER" TO PROVIDE WARNING OF THE HAZARD.

(7) SMOKE DOME OR SKYLIGHT FIXTURES THAT HAVE BEEN INSTALLED ARE NOT CONSIDERED COVERS FOR THE PURPOSE OF THIS RULE UNLESS THEY MEET THE STRENGTH REQUIREMENTS OF SUBRULE (4) OF THIS RULE.

(8) DECKING GAPS AROUND COLUMNS. WIRE MESH, EXTERIOR PLYWOOD, OR THE EQUIVALENT, SHALL BE INSTALLED AROUND COLUMNS WHERE PLANKS OR METAL

DECKING DO NOT FIT TIGHTLY. THE MATERIALS USED SHALL BE OF SUFFICIENT STRENGTH TO PROVIDE FALL PROTECTION FOR PERSONNEL AND PREVENT OBJECTS FROM FALLING THROUGH.

R 408.42623 RESCINDED.

~~R 408.42623 Combination building erection; temporary flooring.~~

~~Rule 2623. A temporary floor shall be installed in the tier portion of a combination building as prescribed in R 408.42621.~~

R 408.42626 COLUMN ANCHORAGE, ERECTION STABILITY, REPAIR, REPLACEMENT, AND ANCHOR RODS (ANCHOR BOLTS).

RULE 2626. (1) ALL COLUMNS SHALL BE ANCHORED BY A MINIMUM OF 4 ANCHOR RODS (ANCHOR BOLTS).

(2) EACH COLUMN ANCHOR ROD (ANCHOR BOLT) ASSEMBLY, INCLUDING THE COLUMN-TO-BASE PLATE WELD AND THE COLUMN FOUNDATION, SHALL BE DESIGNED TO RESIST A MINIMUM ECCENTRIC GRAVITY LOAD OF 300 POUNDS (136.2 kg) LOCATED 18 INCHES (.46 m) FROM THE EXTREME OUTER FACE OF THE COLUMN IN EACH DIRECTION AT THE TOP OF THE COLUMN SHAFT.

(3) COLUMNS SHALL BE SET ON LEVEL FINISHED FLOORS, PRE-GROUTED LEVELING PLATES, LEVELING NUTS, OR SHIM PACKS THAT ARE ADEQUATE TO TRANSFER THE CONSTRUCTION LOADS.

(4) ALL COLUMNS SHALL BE EVALUATED BY A COMPETENT PERSON TO DETERMINE WHETHER GUYING OR BRACING IS NEEDED; IF GUYING OR BRACING IS NEEDED, THEN IT SHALL BE INSTALLED.

(5) ANCHOR RODS (ANCHOR BOLTS) SHALL NOT BE REPAIRED, REPLACED, OR FIELD-MODIFIED WITHOUT THE APPROVAL OF THE PROJECT STRUCTURAL ENGINEER OF RECORD.

(6) BEFORE THE ERECTION OF A COLUMN, THE CONTROLLING CONTRACTOR SHALL PROVIDE WRITTEN NOTIFICATION TO THE STEEL ERECTOR IF THERE HAS BEEN ANY REPAIR, REPLACEMENT, OR MODIFICATION OF THE ANCHOR RODS (ANCHOR BOLTS) OF THAT COLUMN.

R 408.42628 BEAMS AND COLUMNS; DIAGONAL BRACING; COLUMN SPLICES; PERIMETER COLUMNS.

RULE 2628. (1) DURING THE FINAL PLACING OF SOLID WEB STRUCTURAL MEMBERS, THE LOAD SHALL NOT BE RELEASED FROM THE HOISTING LINE UNTIL THE MEMBERS ARE SECURED WITH NOT LESS THAN 2 BOLTS PER CONNECTION, OF THE SAME SIZE AND STRENGTH AS SHOWN IN THE ERECTION DRAWINGS, DRAWN UP WRENCH-TIGHT OR THE EQUIVALENT AS SPECIFIED BY THE PROJECT STRUCTURAL ENGINEER OF RECORD, EXCEPT AS SPECIFIED IN SUBRULE (3) OF THIS RULE.

(2) A COMPETENT PERSON SHALL DETERMINE IF MORE THAN 2 BOLTS ARE NECESSARY TO ENSURE THE STABILITY OF CANTILEVERED MEMBERS; IF ADDITIONAL BOLTS ARE NEEDED, THEY SHALL BE INSTALLED.

(3) SOLID WEB STRUCTURAL MEMBERS USED AS DIAGONAL BRACING SHALL BE SECURED BY AT LEAST 1 BOLT PER CONNECTION DRAWN UP WRENCH-TIGHT OR THE EQUIVALENT AS SPECIFIED BY THE PROJECT STRUCTURAL ENGINEER OF RECORD.

(4) EACH COLUMN SPLICE SHALL BE DESIGNED TO RESIST A MINIMUM ECCENTRIC GRAVITY LOAD OF 300 POUNDS (136.2 kg) LOCATED 18 INCHES (.46 m) FROM THE EXTREME OUTER FACE OF THE COLUMN IN EACH DIRECTION AT THE TOP OF THE COLUMN SHAFT.

(5) PERIMETER COLUMNS SHALL NOT BE ERECTED UNLESS BOTH OF THE FOLLOWING PROVISIONS ARE SATISFIED:

(a) THE PERIMETER COLUMNS EXTEND A MINIMUM OF 48 INCHES (1.2 m) ABOVE THE FINISHED FLOOR TO PERMIT INSTALLATION OF PERIMETER SAFETY CABLES BEFORE ERECTION OF THE NEXT TIER, EXCEPT WHERE CONSTRUCTIBILITY DOES NOT ALLOW. (SEE APPENDIX F)

(b) THE PERIMETER COLUMNS HAVE HOLES OR OTHER DEVICES IN OR ATTACHED TO PERIMETER COLUMNS AT 42 TO 45 INCHES (107-114 cm) ABOVE THE FINISHED FLOOR AND THE MIDPOINT BETWEEN THE FINISHED FLOOR AND THE TOP CABLE TO PERMIT INSTALLATION OF PERIMETER SAFETY CABLES REQUIRED BY R 408.42645(2), EXCEPT WHERE CONSTRUCTIBILITY DOES NOT ALLOW. (SEE APPENDIX F)

R 408.42629 DOUBLE CONNECTIONS.

RULE 2629. (1) IF 2 STRUCTURAL MEMBERS ON OPPOSITE SIDES OF A COLUMN WEB, OR A BEAM WEB OVER A COLUMN, ARE CONNECTED SHARING COMMON CONNECTION HOLES, THEN AT LEAST 1 BOLT WITH ITS WRENCH-TIGHT NUT SHALL REMAIN CONNECTED TO THE FIRST MEMBER UNLESS A SHOP-ATTACHED OR FIELD-ATTACHED SEAT OR EQUIVALENT CONNECTION DEVICE IS SUPPLIED WITH THE MEMBER TO SECURE THE FIRST MEMBER AND PREVENT THE COLUMN FROM BEING DISPLACED (SEE APPENDIX H FOR EXAMPLES OF EQUIVALENT CONNECTION DEVICES).

(2) IF A SEAT OR EQUIVALENT DEVICE IS USED, THEN THE SEAT (OR DEVICE) SHALL BE DESIGNED TO SUPPORT THE LOAD DURING THE DOUBLE CONNECTION PROCESS. THE SEAT OR EQUIVALENT DEVICE SHALL BE ADEQUATELY BOLTED OR WELDED TO BOTH A SUPPORTING MEMBER AND THE FIRST MEMBER BEFORE THE NUTS ON THE SHARED BOLTS ARE REMOVED TO MAKE THE DOUBLE CONNECTION.

R 408.42630 RESCINDED.

~~R 408.42630 Safety nets.~~

~~Rule 2630. Where a tier building or the tier portion of a combination building is not adaptable to a temporary floor and scaffolding is not provided for the protection of employees, safety nets as prescribed in R 408.42656, shall be installed.~~

R 408.42632 RESCINDED.

~~R 408.42632 Safety belts and lanyards.~~

~~Rule 2632. A safety belt and lanyard shall be provided as prescribed in construction safety standard, Part 6. Personal Protective Equipment, being R 408.40601 et seq. of the Michigan Administrative Code.~~

R 408.42634 OPEN WEB JOISTS; FIELD-BOLTED JOISTS.

RULE 2634. (1) EXCEPT AS PROVIDED IN SUBRULE (2) OF THIS RULE, WHERE STEEL JOISTS ARE USED AND COLUMNS ARE NOT FRAMED IN AT LEAST 2 DIRECTIONS WITH SOLID WEB STRUCTURAL STEEL MEMBERS, A STEEL JOIST SHALL BE FIELD-BOLTED AT THE COLUMN TO PROVIDE LATERAL STABILITY TO THE COLUMN DURING ERECTION. FOR THE INSTALLATION OF THIS JOIST, ALL OF THE FOLLOWING PROVISIONS APPLY:

(a) A VERTICAL STABILIZER PLATE SHALL BE PROVIDED ON EACH COLUMN FOR STEEL JOISTS. THE PLATE SHALL BE A MINIMUM OF 6 INCHES BY 6 INCHES (152 mm BY 152 mm) AND SHALL EXTEND NOT LESS THAN 3 INCHES (76 mm) BELOW THE BOTTOM CHORD OF THE JOIST WITH A 13/16-INCH (21 mm) HOLE TO PROVIDE AN ATTACHMENT POINT FOR GUYING OR PLUMBING CABLES.

(b) THE BOTTOM CHORDS OF STEEL JOISTS AT COLUMNS SHALL BE STABILIZED TO PREVENT ROTATION DURING ERECTION.

(c) HOISTING CABLES SHALL NOT BE RELEASED UNTIL THE SEAT AT EACH END OF THE STEEL JOIST IS FIELD-BOLTED, AND EACH END OF THE BOTTOM CHORD IS RESTRAINED BY THE COLUMN STABILIZER PLATE.

(2) IF CONSTRUCTIBILITY DOES NOT ALLOW A STEEL JOIST TO BE INSTALLED AT THE COLUMN, THEN BOTH OF THE FOLLOWING PROVISIONS APPLY:

(a) AN ALTERNATE MEANS OF STABILIZING JOISTS SHALL BE INSTALLED ON BOTH SIDES NEAR THE COLUMN AND THE ALTERNATE MEANS SHALL SATISFY ALL OF THE FOLLOWING PROVISIONS:

(i) PROVIDE STABILITY EQUIVALENT TO SUBRULE (1) OF THIS RULE.

(ii) BE DESIGNED BY A QUALIFIED PERSON.

(iii) BE SHOP-INSTALLED.

(iv) BE INCLUDED IN THE ERECTION DRAWINGS.

(b) HOISTING CABLES SHALL NOT BE RELEASED UNTIL THE SEAT AT EACH END OF THE STEEL JOIST IS FIELD-BOLTED AND THE JOIST IS STABILIZED.

(3) IF STEEL JOISTS AT OR NEAR COLUMNS SPAN 60 FEET (18.3 m) OR LESS, THEN THE JOIST SHALL BE DESIGNED WITH SUFFICIENT STRENGTH TO ALLOW 1 EMPLOYEE TO RELEASE THE HOISTING CABLE WITHOUT THE NEED FOR ERECTION BRIDGING.

(4) IF STEEL JOISTS AT OR NEAR COLUMNS SPAN MORE THAN 60 FEET (18.3 m), THEN THE JOISTS SHALL BE SET IN TANDEM WITH ALL BRIDGING INSTALLED, UNLESS AN ALTERNATIVE METHOD OF ERECTION, WHICH PROVIDES EQUIVALENT STABILITY TO THE STEEL JOIST, IS DESIGNED BY A QUALIFIED PERSON AND IS INCLUDED IN THE SITE-SPECIFIC ERECTION PLAN.

(5) A STEEL JOIST OR STEEL JOIST GIRDER SHALL NOT BE PLACED ON ANY SUPPORT STRUCTURE UNLESS THE STRUCTURE IS STABILIZED.

(6) IF STEEL JOISTS ARE LANDED ON A STRUCTURE, THEN THEY SHALL BE SECURED TO PREVENT UNINTENTIONAL DISPLACEMENT BEFORE INSTALLATION.

(7) A MODIFICATION THAT AFFECTS THE STRENGTH OF A STEEL JOIST OR STEEL JOIST GIRDER SHALL NOT BE MADE WITHOUT THE APPROVAL OF THE PROJECT STRUCTURAL ENGINEER OF RECORD.

(8) BOTH OF THE FOLLOWING PROVISIONS APPLY TO FIELD-BOLTED JOISTS:

(a) EXCEPT FOR STEEL JOISTS THAT HAVE BEEN PREASSEMBLED INTO PANELS, CONNECTIONS OF INDIVIDUAL STEEL JOISTS TO STEEL STRUCTURES IN BAYS OF 40 FEET

(12.2 m) OR MORE SHALL BE FABRICATED TO ALLOW FOR FIELD-BOLTING DURING ERECTION.

(b) THE CONNECTIONS SPECIFIED IN SUBDIVISION (A) OF THIS SUBRULE SHALL BE FIELD-BOLTED UNLESS CONSTRUCTIBILITY DOES NOT ALLOW.

(9) STEEL JOISTS AND STEEL JOIST GIRDERS SHALL NOT BE USED AS ANCHORAGE POINTS FOR A FALL ARREST SYSTEM UNLESS WRITTEN APPROVAL TO DO SO IS OBTAINED FROM A QUALIFIED PERSON.

(10) A BRIDGING TERMINUS POINT SHALL BE ESTABLISHED BEFORE BRIDGING IS INSTALLED. (SEE APPENDIX C)

R 408.42636 STEEL JOISTS ATTACHMENT AND ERECTION.

RULE 2636. (1) EACH END OF “K” SERIES STEEL JOISTS SHALL BE ATTACHED TO THE SUPPORT STRUCTURE WITH A MINIMUM OF 2 1/8-INCH (3 mm) FILLET WELDS 1 INCH (25 mm) LONG OR WITH 2 1/2-INCH (13 mm) BOLTS, OR THE EQUIVALENT.

(2) EACH END OF “LH” AND “DLH” SERIES STEEL JOISTS AND STEEL JOIST GIRDERS SHALL BE ATTACHED TO THE SUPPORT STRUCTURE WITH A MINIMUM OF 2 1/4-INCH (6 mm) FILLET WELDS 2 INCHES (51 mm) LONG, OR WITH 2 3/4-INCH (19 mm) BOLTS, OR THE EQUIVALENT.

(3) EXCEPT AS PROVIDED IN SUBRULE (4) OF THIS RULE, EACH STEEL JOIST SHALL BE ATTACHED TO THE SUPPORT STRUCTURE, AT LEAST AT 1 END ON BOTH SIDES OF THE SEAT, IMMEDIATELY UPON PLACEMENT IN THE FINAL ERECTION POSITION AND BEFORE ADDITIONAL JOISTS ARE PLACED.

(4) PANELS THAT HAVE BEEN PREASSEMBLED FROM STEEL JOISTS WITH BRIDGING SHALL BE ATTACHED TO THE STRUCTURE AT EACH CORNER BEFORE THE HOISTING CABLES ARE RELEASED.

(5) BOTH SIDES OF THE SEAT OF 1 END OF EACH STEEL JOIST THAT REQUIRES BRIDGING UNDER TABLES A AND B SHALL BE ATTACHED TO THE SUPPORT STRUCTURE BEFORE HOISTING CABLES ARE RELEASED.

(6) FOR JOISTS THAT ARE MORE THAN 60 FEET LONG: BOTH ENDS OF THE JOIST SHALL BE ATTACHED AS SPECIFIED IN THIS RULE BEFORE THE HOISTING CABLES ARE RELEASED.

(7) ON STEEL JOISTS THAT DO NOT REQUIRE ERECTION BRIDGING UNDER TABLES A AND B, ONLY 1 EMPLOYEE SHALL BE ALLOWED ON THE JOIST UNTIL ALL BRIDGING IS INSTALLED AND ANCHORED. TABLES A AND B READ AS FOLLOWS:

TABLE A--ERECTION BRIDGING FOR SHORT SPAN JOISTS

Joist
Span

Joist
Span

Joist
Span

8L1

NM

22K10

40-0

14KCS1

NM

10K1

NM

22K11

40-0

14KCS2

NM

12K1

23-0

24K4

36-0

14KCS3

NM

12K3

NM

24K5

38-0

16KCS2

NM

12K5

NM

24K6

39-0

16KCS3

NM

14K1

27-0

24K7

43-0

16KCS4

NM

14K3

NM

24K8

43-0

16KCS5

NM

14K4

NM

24K9

44-0

18KCS2

35-0

14K6

NM

24K10

NM

18KCS3

NM

16K2

29-0

24K12

NM

18KCS4

NM

16K3

30-0

26K5

38-0

18KCS5

NM

16K4

32-0

26K6

39-0

20KCS2

36-0

16K5

32-0

26K7

43-0

20KCS3

39-0

16K6

NM

26K8

44-0

20KCS4

NM

16K7

NM

26K9

45-0

20KCS5

NM

16K9

NM

26K10

49-0

22KCS2

36-0

18K3

31-0

26K12

NM

22KCS3

40-0

18K4

32-0

28K6

40-0

22KCS4

NM

18K5

33-0

28K7

43-0

22KCS5

NM

18K6

35-0

28K8

44-0

24KCS2

39-0

18K7

NM

28K9

45-0

24KCS3

44-0

18K9

NM

28K10

49-0

24KCS4

NM

18K10

NM

28K12

53-0

24KCS5

NM

20K3

32-0

30K7

44-0

26KCS2

39-0

20K4

34-0

30K8

45-0

26KCS3

44-0

20K5

34-0

30K9

45-0

26KCS4

NM

20K6

36-0

30K10

50-0

26KCS5

NM

20K7

39-0

30K11

52-0

28KCS2

40-0

20K9

39-0

30K12

54-0

28KCS3

45-0

20K10

NM

10KCS1

NM

28KCS4

53-0

22K4

34-0

10KCS2

NM

28KCS5

53-0

22K5

35-0

10KCS3

NM

30KCS3

45-0

22K6

36-0

12KCS1

NM

30KCS4

54-0

22K7

40-0

12KCS2

NM

30KCS5

54-0

22K9

40-0

12KCS3

NM

NM = diagonal bolted bridging not mandatory for joists under 40 feet.

TABLE B--ERECTION BRIDGING FOR LONG SPAN JOISTS

Joist

Span

Joist
Span

18LH02
33-0

28LH06
42-0

18LH03
NM

28LH07
NM

18LH04
NM

28LH08
NM

18LH05
NM

28LH09
NM

18LH06
NM

28LH10
NM

18LH07
NM

28LH11
NM

18LH08
NM

28LH12

NM

18LH09

NM

28LH13

NM

20LH02

33-0

32LH06

47-0 through 60-0

20LH03

38-0

32LH07

47-0 through 60-0

20LH04

NM

32LH08

55-0 through 60-0

20LH05

NM

32LH09

NM through 60-0

20LH06

NM

32LH10

NM through 60-0

20LH07

NM

32LH11

NM through 60-0

20LH08

NM

32LH12
NM through 60-0

20LH09
NM

32LH13
NM through 60-0

20LH10
NM

32LH14
NM through 60-0

24LH03
35-0

32LH15
NM through 60-0

24LH04
39-0

36LH07
47-0 through 60-0

24LH05
40-0

36LH08
47-0 through 60-0

24LH06
45-0

36LH09
57-0 through 60-0

24LH07
NM

36LH10

NM through 60-0

24LH08

NM

36LH11

NM through 60-0

24LH09

NM

36LH12

NM through 60-0

24LH10

NM

36LH13

NM through 60-0

24LH11

NM

36LH14

NM through 60-0

28LH05

42-0

36LH15

NM through 60-0

NM = diagonal bolted bridging not mandatory for joists under 40 feet.

(8) EMPLOYEES SHALL NOT BE ALLOWED ON STEEL JOISTS WHERE THE SPAN OF THE STEEL JOIST IS EQUAL TO OR GREATER THAN THE SPAN SHOWN IN TABLES A AND B, EXCEPT IN ACCORDANCE WITH SUBRULES (10), (11), (12), (13), (14), AND (15) OF THIS RULE.

(9) WHEN PERMANENT BRIDGING TERMINUS POINTS CANNOT BE USED DURING ERECTION, ADDITIONAL TEMPORARY BRIDGING TERMINUS POINTS ARE REQUIRED TO PROVIDE STABILITY. (SEE APPENDIX C)

(10) IF THE SPAN OF THE STEEL JOIST IS EQUAL TO OR GREATER THAN THE SPAN SHOWN IN TABLES A AND B, THEN ALL OF THE FOLLOWING PROVISIONS SHALL APPLY:

(a) A ROW OF BOLTED DIAGONAL ERECTION BRIDGING SHALL BE INSTALLED NEAR THE MIDSPAN OF THE STEEL JOIST.

(b) HOISTING CABLES SHALL NOT BE RELEASED UNTIL THE BOLTED DIAGONAL ERECTION BRIDGING SPECIFIED IN SUBDIVISION (A) OF THIS SUBRULE IS INSTALLED AND ANCHORED.

(c) NOT MORE THAN 1 EMPLOYEE SHALL BE ALLOWED ON SPANS OF STEEL JOIST THAT IS EQUAL TO OR GREATER THAN THE SPAN SHOWN IN TABLES A AND B, UNTIL ALL OTHER BRIDGING IS INSTALLED AND ANCHORED.

(11) IF THE SPAN OF THE STEEL JOIST IS NOT LESS THAN 60 FEET (18.3 m) AND NOT MORE THAN 100 FEET (30.5 m), THEN ALL OF THE FOLLOWING PROVISIONS SHALL APPLY:

(a) ALL ROWS OF BRIDGING SHALL BE BOLTED DIAGONAL BRIDGING.

(b) TWO ROWS OF BOLTED DIAGONAL ERECTION BRIDGING SHALL BE INSTALLED NEAR THE THIRD POINTS OF THE STEEL JOIST.

(c) HOISTING CABLES SHALL NOT BE RELEASED UNTIL BOLTED DIAGONAL ERECTION BRIDGING IS INSTALLED AND ANCHORED.

(d) NOT MORE THAN 2 EMPLOYEES SHALL BE ALLOWED ON SPANS OF STEEL JOIST NOT LESS THAN 60 FEET AND NOT MORE THAN 100 FEET UNTIL ALL OTHER BRIDGING IS INSTALLED AND ANCHORED.

(12) IF THE SPAN OF THE STEEL JOIST IS NOT LESS THAN 100 FEET (30.5 m) AND NOT MORE THAN 144 FEET (43.9 m), THEN ALL OF THE FOLLOWING PROVISIONS SHALL APPLY:

(a) ALL ROWS OF BRIDGING SHALL BE BOLTED DIAGONAL BRIDGING.

(b) HOISTING CABLES SHALL NOT BE RELEASED UNTIL ALL BRIDGING IS INSTALLED AND ANCHORED.

(c) NOT MORE THAN 2 EMPLOYEES SHALL BE ALLOWED ON SPANS OF STEEL JOIST THAT ARE NOT LESS THAN 100 FEET AND NOT MORE THAN 144 FEET UNTIL ALL BRIDGING IS INSTALLED AND ANCHORED.

(13) FOR STEEL MEMBERS SPANNING MORE THAN 144 FEET (43.9 m), THE ERECTION METHODS USED SHALL BE IN ACCORDANCE WITH R 408.42628 AND R 408.42629.

(14) IF ANY STEEL JOIST SPECIFIED IN SUBRULES (6), (10), (11), AND (12) OF THIS RULE IS A BOTTOM CHORD BEARING JOIST, THEN A ROW OF BOLTED DIAGONAL BRIDGING SHALL BE PROVIDED NEAR THE SUPPORTS. THE BRIDGING SHALL BE INSTALLED AND ANCHORED BEFORE THE HOISTING CABLES ARE RELEASED.

(15) IF BOLTED DIAGONAL ERECTION BRIDGING IS REQUIRED BY THIS RULE, THEN ALL THE FOLLOWING PROVISIONS SHALL APPLY:

(a) THE BRIDGING SHALL BE INDICATED ON THE ERECTION DRAWING.

(b) THE ERECTION DRAWING SHALL BE THE EXCLUSIVE INDICATOR OF THE PROPER PLACEMENT OF THE BRIDGING.

(c) SHOP-INSTALLED BRIDGING CLIPS, OR FUNCTIONAL EQUIVALENTS, SHALL BE USED WHERE THE BRIDGING BOLTS TO THE STEEL JOISTS.

(d) IF 2 PIECES OF BRIDGING ARE ATTACHED TO THE STEEL JOIST BY A COMMON BOLT, THEN THE NUT THAT SECURES THE FIRST PIECE OF BRIDGING SHALL NOT BE REMOVED FROM THE BOLT FOR THE ATTACHMENT OF THE SECOND.

(e) BRIDGING ATTACHMENTS SHALL NOT PROTRUDE ABOVE THE TOP CHORD OF THE STEEL JOIST.

R 408.42638 LANDING AND PLACING LOADS.

RULE 2638. (1) DURING THE CONSTRUCTION PERIOD, AN EMPLOYER PLACING A LOAD ON STEEL JOISTS SHALL ENSURE THAT THE LOAD IS DISTRIBUTED SO AS NOT TO EXCEED THE CARRYING CAPACITY OF ANY STEEL JOIST.

(2) EXCEPT FOR SUBRULE (4) OF THIS RULE, A CONSTRUCTION LOAD IS NOT ALLOWED ON THE STEEL JOISTS UNTIL ALL BRIDGING IS INSTALLED AND ANCHORED AND ALL JOIST-BEARING ENDS ARE ATTACHED.

(3) THE WEIGHT OF A BUNDLE OF JOIST BRIDGING IS NOT MORE THAN A TOTAL OF 1,000 POUNDS (454 kg). A BUNDLE OF JOIST BRIDGING SHALL BE PLACED ON A MINIMUM OF 3 STEEL JOISTS THAT ARE SECURED AT 1 END. THE EDGE OF THE BRIDGING BUNDLE SHALL BE POSITIONED WITHIN 1 FOOT (.30 m) OF THE SECURED END.

(4) A BUNDLE OF DECKING SHALL NOT BE PLACED ON STEEL JOISTS UNTIL ALL BRIDGING HAS BEEN INSTALLED AND ANCHORED AND ALL JOIST BEARING ENDS ATTACHED, UNLESS ALL OF THE FOLLOWING CONDITIONS ARE MET:

(a) THE EMPLOYER HAS FIRST DETERMINED FROM A QUALIFIED PERSON AND DOCUMENTED IN A SITE-SPECIFIC ERECTION PLAN THAT THE STRUCTURE OR PORTION OF THE STRUCTURE IS CAPABLE OF SUPPORTING THE LOAD.

(b) THE BUNDLE OF DECKING IS PLACED ON A MINIMUM OF 3 STEEL JOISTS.

(c) THE JOISTS SUPPORTING THE BUNDLE OF DECKING ARE ATTACHED AT BOTH ENDS.

(d) AT LEAST 1 ROW OF BRIDGING IS INSTALLED AND ANCHORED.

(e) THE TOTAL WEIGHT OF THE BUNDLE OF DECKING IS NOT MORE THAN 4,000 POUNDS (1816 kg).

(f) PLACEMENT OF THE BUNDLE OF DECKING SHALL BE IN ACCORDANCE WITH SUBRULE (5) OF THIS RULE.

(5) THE EDGE OF THE CONSTRUCTION LOAD SHALL BE PLACED WITHIN 1 FOOT (.30 m) OF THE BEARING SURFACE OF THE JOIST END.

R 408.42640 ~~Temporary floor generally~~ INSTALLATION OF METAL DECKING.

RULE 2640. (1) EXCEPT AS PROVIDED IN R 408.42648(1), METAL DECKING SHALL BE LAID TIGHTLY AND IMMEDIATELY SECURED UPON PLACEMENT TO PREVENT ACCIDENTAL MOVEMENT OR DISPLACEMENT.

(2) DURING INITIAL PLACEMENT, METAL DECKING PANELS SHALL BE PLACED TO ENSURE FULL SUPPORT BY STRUCTURAL MEMBERS.

(3) DERRICK FLOORS. A DERRICK FLOOR SHALL BE FULLY DECKED OR PLANKED AND THE STEEL MEMBER CONNECTIONS COMPLETED TO SUPPORT THE INTENDED FLOOR LOADING.

(4) TEMPORARY LOADS PLACED ON A DERRICK FLOOR SHALL BE DISTRIBUTED OVER THE UNDERLYING SUPPORT MEMBERS SO AS TO PREVENT LOCAL OVERLOADING OF THE DECK MATERIAL.

(5) ~~(4)~~ Temporary flooring shall comply with all of the following provisions:

(a) Consist of either wood planking which is not less than 2 inches thick, undressed, full size or metal decking or grating of equivalent strength.

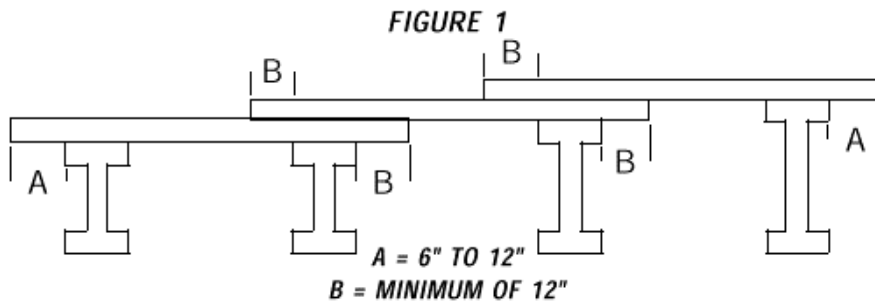
(b) Cover the entire area, except for access openings.

(c) Be secured against displacement.

(d) Be capable of carrying the maximum intended working load.

(6) ~~(2)~~ Planking of temporary floors shall comply with both of the following provisions:

- (a) Extend beyond an end bearer not less than 6 inches nor more than 12 inches.
 - (b) Overlap any intermediate bearer by a minimum of 12 inches. (See figure 1.)
- FIGURE 1 READS AS FOLLOWS:



- (7) (4) When gathering and stacking temporary floor planks, the planks shall be removed successively, working toward the last panel of the temporary floor so that the work is always done from the planked floor.
- (8) (5) When gathering and stacking temporary floor planks from the last panel, employees assigned to such work shall be protected as specified in R 408.42645. ~~safety belts with safety lies attached to a catenary line or other substantial anchorage~~

R 408.42642 RESCINDED.

~~R 408.42642 Guarding of temporary planked, metal decked, or grating floors.~~

~~Rule 2642. (1) A perimeter cable, as prescribed in R 408.42654, shall be installed around the periphery of a temporary planked, metal decking, or grating floor of a tier building, a combination building, or any other multi-floored structure during structural assembly.~~

~~(2) An opening in a temporary floor that is being used for construction operations shall be guarded as prescribed in subrule (1) of this rule.~~

~~(3) An unused opening in a temporary floor shall be completely covered by wood planking, metal decking, or grating. The cover shall be secured against displacement.~~

R 408.42643 SYSTEMS-ENGINEERED METAL BUILDINGS.

RULE 2643. (1) ALL OF THE REQUIREMENTS OF THIS PART APPLY TO THE ERECTION OF SYSTEMS-ENGINEERED METAL BUILDINGS, EXCEPT FOR R 408.42626, R 408.42634, R 408.42636, AND R 408.42638.

(2) EACH STRUCTURAL COLUMN SHALL BE ANCHORED BY A MINIMUM OF 4 ANCHOR RODS (ANCHOR BOLTS).

- (3) RIGID FRAMES SHALL HAVE 50% OF THEIR BOLTS OR THE NUMBER OF BOLTS SPECIFIED BY THE MANUFACTURER, WHICHEVER IS GREATER, INSTALLED AND TIGHTENED ON BOTH SIDES OF THE WEB ADJACENT TO EACH FLANGE BEFORE THE HOISTING EQUIPMENT IS RELEASED.
- (4) CONSTRUCTION LOADS SHALL NOT BE PLACED ON ANY STRUCTURAL STEEL FRAMEWORK UNLESS THE FRAMEWORK IS SAFELY BOLTED, WELDED, OR OTHERWISE ADEQUATELY SECURED.
- (5) IN GIRT AND EAVE STRUT-TO-FRAME CONNECTIONS, WHEN GIRTS OR EAVE STRUTS SHARE COMMON CONNECTION HOLES, AT LEAST 1 BOLT WITH ITS WRENCH-TIGHT NUT SHALL REMAIN CONNECTED TO THE FIRST MEMBER UNLESS A MANUFACTURER-SUPPLIED, FIELD-ATTACHED SEAT OR SIMILAR CONNECTION DEVICE IS PRESENT TO SECURE THE FIRST MEMBER SO THAT THE GIRT OR EAVE STRUT IS ALWAYS SECURED AGAINST DISPLACEMENT.
- (6) BOTH ENDS OF ALL STEEL JOISTS OR COLD-FORMED JOISTS SHALL BE FULLY BOLTED OR WELDED TO THE SUPPORT STRUCTURE BEFORE ANY OF THE FOLLOWING:
 - (a) RELEASING THE HOISTING CABLES.
 - (b) ALLOWING AN EMPLOYEE ON THE JOISTS.
 - (c) ALLOWING ANY CONSTRUCTION LOADS ON THE JOISTS.
- (7) PURLINS AND GIRTS SHALL NOT BE USED AS AN ANCHORAGE POINT FOR A FALL ARREST SYSTEM UNLESS WRITTEN APPROVAL IS OBTAINED FROM A QUALIFIED PERSON.
- (8) PURLINS MAY ONLY BE USED AS A WALKING/WORKING SURFACE WHEN INSTALLING SAFETY SYSTEMS, AFTER ALL PERMANENT BRIDGING HAS BEEN INSTALLED AND FALL PROTECTION IS PROVIDED.
- (9) CONSTRUCTION LOADS MAY BE PLACED ONLY WITHIN A ZONE THAT IS WITHIN 8 FEET (2.5 m) OF THE CENTERLINE OF THE PRIMARY SUPPORT MEMBER.

R 408.42644 FALLING OBJECT PROTECTION.

RULE 2644. (1) SECURING LOOSE ITEMS ALOFT. ALL MATERIALS, EQUIPMENT, AND TOOLS THAT ARE NOT IN USE WHILE ALOFT SHALL BE SECURED AGAINST ACCIDENTAL DISPLACEMENT.

(2) PROTECTION FROM FALLING OBJECTS OTHER THAN MATERIALS BEING HOISTED. THE CONTROLLING CONTRACTOR SHALL BAR OTHER CONSTRUCTION PROCESSES BELOW STEEL ERECTION UNLESS OVERHEAD PROTECTION FOR THE EMPLOYEES BELOW IS PROVIDED.

(3) A CONTAINER SHALL BE PROVIDED FOR STORING AND CARRYING FASTENERS, SUCH AS BOLTS AND RIVETS AND DRIFT PINS. THE CONTAINER SHALL BE SECURED AGAINST INADVERTENT DISPLACEMENT WHEN THERE IS A POSSIBILITY OF THE CONTAINER FALLING.

(4) IF A BOLT, DRIFT PIN, OR RIVET IS KNOCKED OUT, THEN A MEANS SHALL BE PROVIDED TO PREVENT IT FROM FALLING.

(5) RIVETING SHALL NOT BE DONE IN THE VICINITY OF COMBUSTIBLE MATERIAL UNLESS PRECAUTIONS ARE TAKEN TO PREVENT FIRE.

R 408.42645 FALL PROTECTION.

RULE 2645. (1) EXCEPT AS PROVIDED BY SUBRULE (3) OF THIS RULE, EACH EMPLOYEE ENGAGED IN A STEEL ERECTION ACTIVITY WHO IS ON A WALKING/WORKING SURFACE WITH AN UNPROTECTED SIDE OR EDGE MORE THAN 15 FEET (4.6 m) ABOVE A LOWER LEVEL SHALL BE PROTECTED FROM FALL HAZARDS BY GUARDRAIL SYSTEMS, SAFETY NET SYSTEMS, PERSONAL FALL ARREST SYSTEMS, POSITIONING DEVICE SYSTEMS, OR FALL RESTRAINT SYSTEMS.

(2) PERIMETER SAFETY CABLES. ON MULTISTORY STRUCTURES, PERIMETER SAFETY CABLES SHALL BE INSTALLED AT THE FINAL INTERIOR AND EXTERIOR PERIMETERS OF THE FLOORS AS SOON AS THE METAL DECKING HAS BEEN INSTALLED.

(3) CONNECTORS AND EMPLOYEES WORKING IN CONTROLLED DECKING ZONES SHALL BE PROTECTED FROM FALL HAZARDS AS PROVIDED IN R 408.42646 AND R 408.42648.

R 408.42646 CONNECTORS.

RULE 2646. (1) EACH CONNECTOR SHALL BE IN COMPLIANCE WITH ALL OF THE FOLLOWING PROVISIONS:

(a) BE PROTECTED IN ACCORDANCE WITH R 408.42645(1) FROM FALL HAZARDS OF MORE THAN 2 STORIES OR 30 FEET (9.1 m) ABOVE A LOWER LEVEL, WHICHEVER IS LESS.

(b) HAVE COMPLETED CONNECTOR TRAINING IN ACCORDANCE WITH R 408.42655(2).

(c) BE PROVIDED, AT HEIGHTS OF MORE THAN 15 AND UP TO 30 FEET ABOVE A LOWER LEVEL, WITH A PERSONAL FALL ARREST SYSTEM, POSITIONING DEVICE SYSTEM, OR FALL RESTRAINT SYSTEM AND WEAR THE EQUIPMENT NECESSARY TO BE ABLE TO BE TIED OFF; OR BE PROVIDED WITH OTHER MEANS OF PROTECTION FROM FALL HAZARDS IN ACCORDANCE WITH R 408.42645(1).

R 408.42648 CONTROLLED DECKING ZONE (CDZ).

RULE 2648. (1) A CONTROLLED DECKING ZONE MAY BE ESTABLISHED IN THAT AREA OF THE STRUCTURE OF MORE THAN 15 AND UP TO 30 FEET ABOVE A LOWER LEVEL WHERE METAL DECKING IS INITIALLY BEING INSTALLED AND FORMS THE LEADING EDGE OF A WORK AREA. IN EACH CDZ, ALL OF THE FOLLOWING PROVISIONS SHALL APPLY:

(a) EACH EMPLOYEE WORKING AT THE LEADING EDGE IN A CDZ SHALL BE PROTECTED FROM FALL HAZARDS OF MORE THAN 2 STORIES OR 30 FEET (9.1 m), WHICHEVER IS LESS.

(b) ACCESS TO A CDZ SHALL BE LIMITED TO ONLY THOSE EMPLOYEES ENGAGED IN LEADING EDGE WORK.

(c) THE BOUNDARIES OF A CDZ SHALL BE DESIGNATED AND CLEARLY MARKED. THE CDZ SHALL NOT BE MORE THAN 90 FEET (27.4 m) WIDE AND 90 (27.4 m) FEET DEEP FROM ANY LEADING EDGE. THE CDZ SHALL BE MARKED BY THE USE OF CONTROL LINES OR THE EQUIVALENT. EXAMPLES OF ACCEPTABLE PROCEDURES FOR DEMARCATING CDZ'S CAN BE FOUND IN APPENDIX D.

(d) EACH EMPLOYEE WORKING IN A CDZ SHALL HAVE COMPLETED CDZ TRAINING IN ACCORDANCE WITH R 408.42655(3).

(e) UNSECURED DECKING IN A CDZ SHALL NOT BE MORE THAN 3,000 SQUARE FEET (914.4 m²).

(f) SAFETY DECK ATTACHMENTS SHALL BE PERFORMED IN THE CDZ FROM THE LEADING EDGE BACK TO THE CONTROL LINE AND SHALL HAVE NOT LESS THAN 2 ATTACHMENTS FOR EACH METAL DECKING PANEL.

(g) FINAL DECK ATTACHMENTS AND INSTALLATION OF SHEAR CONNECTORS SHALL NOT BE PERFORMED IN THE CDZ.

R 408.42650 RESCINDED.

~~R 408.42650 Tier or combination buildings, erection of structural members.~~

~~Rule 2650. Before erecting structural members in a tiered building or the tiered portion of a combination building, there shall be not more than 4 stories of uncompleted structural steel below the erection floor and not more than 8 stories between the erection floor and the uppermost permanent floor.~~

R 408.42651 CRITERIA FOR FALL PROTECTION EQUIPMENT; CUSTODY OF FALL PROTECTION.

RULE 2651. (1) GUARDRAIL SYSTEMS, SAFETY NET SYSTEMS, PERSONAL FALL ARREST SYSTEMS, POSITIONING DEVICE SYSTEMS AND THEIR COMPONENTS SHALL CONFORM TO THE CRITERIA IN 29 C.F.R. §1926.502, WHICH IS ADOPTED BY REFERENCE IN R 408.44502 OF CONSTRUCTION SAFETY STANDARD PART 45. "FALL PROTECTION," WHICH IS REFERENCED IN R 408.42602. (SEE APPENDIX G)

(2) FALL ARREST SYSTEM COMPONENTS SHALL BE USED IN FALL RESTRAINT SYSTEMS AND SHALL CONFORM TO THE CRITERIA IN 29 C.F.R. §1926.502, WHICH IS ADOPTED BY REFERENCE IN R 408.44502 OF CONSTRUCTION SAFETY STANDARD PART 45. "FALL PROTECTION," WHICH IS REFERENCED IN R 408.42602. (SEE APPENDIX G) EITHER BODY BELTS OR BODY HARNESSSES SHALL BE USED IN FALL RESTRAINT SYSTEMS.

(3) PERIMETER SAFETY CABLES SHALL MEET THE CRITERIA FOR GUARDRAIL SYSTEMS IN C.F.R. §1926.502, WHICH IS ADOPTED BY REFERENCE IN R 408.44502 OF CONSTRUCTION SAFETY STANDARD PART 45. "FALL PROTECTION," WHICH IS REFERENCED IN R 408.42602. (SEE APPENDIX G)

(4) FALL PROTECTION PROVIDED BY THE STEEL ERECTOR SHALL REMAIN IN THE AREA WHERE STEEL ERECTION ACTIVITY HAS BEEN COMPLETED, TO BE USED BY OTHER TRADES, ONLY IF THE CONTROLLING CONTRACTOR OR ITS AUTHORIZED REPRESENTATIVE HAS DONE BOTH OF THE FOLLOWING:

(a) DIRECTED THE STEEL ERECTOR TO LEAVE THE FALL PROTECTION IN PLACE.

(b) INSPECTED AND ACCEPTED CONTROL AND RESPONSIBILITY OF THE FALL PROTECTION BEFORE AUTHORIZING PERSONS OTHER THAN STEEL ERECTORS TO WORK IN THE AREA.

R 408.42653 TRAINING.

RULE 2653. (1) TRAINING PERSONNEL. TRAINING REQUIRED BY THIS RULE SHALL BE PROVIDED BY A QUALIFIED PERSON OR PERSONS.

(2) AN EMPLOYER SHALL PROVIDE A TRAINING PROGRAM FOR ALL EMPLOYEES EXPOSED TO FALL HAZARDS. THE PROGRAM SHALL INCLUDE TRAINING AND INSTRUCTION IN ALL OF THE FOLLOWING AREAS:

(a) THE RECOGNITION AND IDENTIFICATION OF FALL HAZARDS IN THE WORK AREA.

(b) THE USE AND OPERATION OF ALL OF THE FOLLOWING:

(i) GUARDRAIL SYSTEMS, INCLUDING PERIMETER SAFETY CABLE SYSTEMS.

(ii) PERSONAL FALL ARREST SYSTEMS.

(iii) POSITIONING DEVICE SYSTEMS.

(iv) FALL RESTRAINT SYSTEMS.

(v) SAFETY NET SYSTEMS.

(vi) OTHER PROTECTION TO BE USED.

(c) THE CORRECT PROCEDURES FOR ERECTING, MAINTAINING, DISASSEMBLING, AND INSPECTING THE FALL PROTECTION SYSTEMS TO BE USED.

(d) THE PROCEDURES TO BE FOLLOWED TO PREVENT FALLS TO LOWER LEVELS AND THROUGH OR INTO HOLES AND OPENINGS IN WALKING/WORKING SURFACES AND WALLS.

(e) THE FALL PROTECTION REQUIREMENTS OF THIS PART.

R 408.42654 RESCINDED.

~~R 408.42654 Perimeter cable specifications.~~

~~Rule 2654. (1) A perimeter cable shall be of not less than 3/8 inch wire rope. Fasteners, anchors, and supports for a perimeter cable shall have a capacity not less than that of a wire rope used as a perimeter cable.~~

~~(2) Where wire rope clips are used to form the eyes at the ends of a perimeter cable, the number of clips shall assure compliance with subrule (4) of this rule.~~

~~(3) An end-to-end splice shall not be used in a perimeter cable. (4) A perimeter cable and its fasteners, anchors, and supports shall be capable of withstanding a side thrust of not less than 200 pounds at the midpoint of the span.~~

~~(5) A perimeter cable shall be installed not less than 36, nor more than 42, inches vertically from the floor.~~

~~(6) The perimeter cable shall be tightened to allow not more than a 6 inch deflection in any direction at the mid-point of the span.~~

~~(7) A danger sign shall be attached to the cable mid-way between each pair of supports. The sign shall be as prescribed in rule 2224 of Part 22. Signals, Signs, Tags and Barricades, being R 408.42224 of the Michigan Administrative Code. In place of a sign, yellow-colored, weather resistive strips not less than 1 by 8 inches in length may be suspended from the cable at 8 foot intervals.~~

~~(8) The cable may be removed between adjacent supports for the purpose of unloading or loading material. An employee who assists in the loading or unloading shall be protected by a safety belt or safety harness with lanyard and lifeline as prescribed in Part 6. Personal Protective Equipment, being R 408.40601 et seq. of the Michigan Administrative Code. Access to the exposed edge which is caused by the temporary removal of the cables shall be barricaded to prevent entry by other employees.~~

~~(9) If a lanyard or lifeline is attached to a perimeter cable, the perimeter cable shall be able to withstand 5,400 pounds applied at the mid-point of the span.~~

R 408.42655 SPECIAL TRAINING.

RULE 2655. (1) AN EMPLOYER SHALL ENSURE THAT EACH EMPLOYEE WHO PERFORMS MULTIPLE LIFT RIGGING HAS BEEN PROVIDED TRAINING IN BOTH OF THE FOLLOWING AREAS:

(a) THE NATURE OF THE HAZARDS ASSOCIATED WITH MULTIPLE LIFTS.

(b) THE PROPER PROCEDURES AND EQUIPMENT TO PERFORM MULTIPLE LIFTS REQUIRED BY R 408.42610.

(2) AN EMPLOYER SHALL ENSURE THAT EACH CONNECTOR HAS BEEN PROVIDED TRAINING IN BOTH OF THE FOLLOWING AREAS:

- (a) THE NATURE OF THE HAZARDS ASSOCIATED WITH CONNECTING.
- (b) THE ESTABLISHMENT, ACCESS, PROPER CONNECTING TECHNIQUES, AND WORK PRACTICES REQUIRED BY R 408.42629(1) AND (2) AND R 408.42646.
- (3) WHERE CDZ'S ARE BEING USED, AN EMPLOYER SHALL ASSURE THAT EACH EMPLOYEE HAS BEEN PROVIDED TRAINING IN BOTH OF THE FOLLOWING AREAS:
 - (a) THE NATURE OF THE HAZARDS ASSOCIATED WITH WORK WITHIN A CONTROLLED DECKING ZONE.
 - (b) THE ESTABLISHMENT, ACCESS, PROPER INSTALLATION TECHNIQUES, AND WORK PRACTICES REQUIRED BY R 408.42620, R 408.42622, R 408.42640, AND R 408.42648.

R 408.42656 RESCINDED.

R 408.42656 Safety nets; specifications.

~~Rule 2656. (1) Where safety net protection is used, operations shall not be undertaken until the net is in place and has been tested as follows:~~

- ~~(a) A 250 pound test weight shall be dropped from a height of 50 feet, or a 500 pound test weight from a height of 25 feet, into the approximate center of each panel of the net. The test weight shall be a sand filled canvas bag that is approximately 5 feet in length.~~
- ~~(b) A safety net shall be field tested and inspected by an employee designated as responsible for the safety of the employees to be protected. A field test tag shall be affixed to the net at an accessible location to show the test date and the name of the employee conducting the test.~~
- ~~(c) A safety net in place with continuous use shall either be tested as prescribed in subdivisions (a) and (b) of this subrule not less than every 30 days or the employer shall have a documented weekly inspection program for the safety nets. Each inspection shall be recorded as to the date, name of employee performing the inspection, and the results of the inspection.~~
- ~~(d) A net in place without use in a 30 day period shall be tested before use.~~
- ~~(e) A net exposed to oil, grease, acid, or other materials having a deteriorating effect shall be constructed of a material that is resistant to such deteriorating effects.~~
- ~~(2) A net shall extend 8 feet beyond the edge of the work surface where an employee is exposed and shall be installed as close under the work surface as practical, but not more than 25 feet below the work surface. The net shall be hung with sufficient clearance to prevent the employee's contact with the surface or structure below. The clearance shall be determined by impact load testing as required by subrule (1) of this rule.~~
- ~~(3) The mesh size of a safety net shall not be more than 6 inches by 6 inches.~~
- ~~(4) A net purchased after the effect date of this rule shall bear a label certifying an accepted performance of 17,500 foot pounds minimum impact resistance for each panel. The edge ropes shall provide a minimum breaking strength of 5,000 pounds.~~
- ~~(5) Forged steel safety hooks or shackles shall be used to fasten the net to its supports.~~
- ~~(6) Connections between net panels shall develop a safety net which has the full strength of each panel.~~
- ~~(7) The safety net shall be maintained free of debris that might cause injury to a falling employee.~~
- ~~(8) When an employee working below a safety net is exposed to falling tools or other objects, a supplemental net, or equivalent material capable of withstanding the impact, shall be laid inside the safety net to protect the employee.~~

PROPOSED ADMINISTRATIVE RULES

ORR # 2002-006

DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES

MACKINAC ISLAND STATE PARK COMMISSION

GENERAL RULES

Filed with the secretary of state on _____
These rules take effect 7 days after filing with the secretary of state

(By authority conferred on the Mackinac Island state park commission by sections 76504 and 76901 of 1994 PA 451, MCL 324.76901)

R 318.111, R 318.121 to R 318.124, R 318.126, R318.127, R 318.129, R 318.131, R 318.133 to R 318.145, and R 318.146 of the Michigan Administrative Code are amended as follows. R 318.112 to R 318.120, R 318.135, and R 318.147 of the Code are rescinded.

R 318.111 ~~Person~~ DEFINITIONS.

Rule 1. ~~"Person" as used in these rules shall mean person, firm, copartnership, or corporation.~~ AS USED IN THESE RULES:

- (A) "CARRYING PASSENGERS FOR HIRE" MEANS THE ACTS OF ANY PERSON RANSPORTING PASSENGERS TO ANY POINT OR POINTS ON THE ROAD OR ROADS FOR A SPECIFIED MONETARY CONSIDERATION, OR ACTS OF ACCEPTING GRATUITIES FOR SAID PURPOSES.
- (B) "COMMERCIAL OPERATIONS" MEANS ANY ACTIVITY THAT INVOLVES, DIRECTLY OR INDIRECTLY, THE BUYING OR SELLING OF GOODS OR SERVICES, OR THE EXCHANGE OR ATTEMPT OR OFFER TO EXCHANGE GOODS OR SERVICES FOR MONEY, BARTER, BY ACCEPTING GRATUITIES, OR FOR ANYTHING OF VALUE.
- (C) "COMMISSION" MEANS THE MACKINAC ISLAND STATE PARK COMMISSION.
- (D) "DIRECTOR" MEANS THE DIRECTOR OF THE MACKINAC ISLAND STATE PARK COMMISSION.
- (E) "DRAYS" MEANS ANY HORSE-DRAWN VEHICLE USED FOR THE TRANSPORTATION OF PROPERTY, GOODS, OR MERCHANDISE, EITHER BELONGING TO THE OWNER OF SUCH DRAY OR TO OTHERS, WITH OR WITHOUT CHARGE, WHETHER SUCH CHARGE BE BY SINGLE FEE OR ESTABLISHED BY CONTRACT.
- (F) "DRIVE YOURSELF CARRIAGE" MEANS ANY HORSE-DRAWN VEHICLE FOR HIRE THAT IS RENTED TO ANOTHER PERSON OR PERSONS WITHOUT THE SERVICES OF A DRIVER BEING EMPLOYED, ENGAGED, PROVIDED, OR SUGGESTED BY THE OWNER OR OPERATOR OF SUCH CARRIAGE.

(G) "FORT MACKINAC BUS" MEANS ANY HORSE-DRAWN VEHICLE USED FOR THE TRANSPORTATION OF PASSENGERS ONLY FROM THE DOWNTOWN AREA DIRECTLY TO FORT MACKINAC AND RETURN.

(H) "HOTEL BUS" MEANS A HORSE DRAWN VEHICLE LICENSED TO A SPECIFIC HOTEL OPERATING OVER THE ROADS OF THE MACKINAC ISLAND STATE PARK, AND;

(i) CARRIES HOTEL PASSENGERS OR THEIR GUESTS FOR A CHARGE AS APPROVED BY THE MACKINAC ISLAND STATE PARK COMMISSION, AND;

(ii) OPERATES ON A FIXED ROUTE OR ROUTES AS DESIGNATED BY THE MACKINAC ISLAND STATE PARK COMMISSION, AND;

(iii) MAKES INFREQUENT DEVIATIONS FROM THE DESIGNATED ROUTE OR ROUTES FOR THE CONVENIENCE OF HOTEL GUESTS OR THEIR PARTY.

(I) "LIVERY CARRIAGE" MEANS ANY HORSE-DRAWN VEHICLE FOR HIRE TRANSPORTING PASSENGERS FOR SCENIC DRIVES CHARGING ON A TIME BASIS; THAT IS, BY THE HOUR OR FRACTIONS OR MULTIPLES THEREOF, AND NOT AT A FIXED PRICE PER PASSENGER.

(J) "MOTOR VEHICLE" MEANS ANY DEVICE THAT IS SELF-PROPELLED, OR PARTIALLY SELF-PROPELLED, BY WHICH A PERSON OR PROPERTY MAY BE TRANSPORTED OR DRAWN.

(K) "PERSON" MEANS AN INDIVIDUAL, PARTNERSHIP, CORPORATION, ASSOCIATION, GOVERNMENTAL ENTITY, OR OTHER LEGAL ENTITY.

(L) "ROAD" MEANS ANY THOROUGHFARE, ROADWAY, RIDING TRAIL, OR DRIVING TRAIL THAT IS SITUATED ON LANDS THAT ARE UNDER THE JURISDICTION OF THIS COMMISSION.

(M) "SADDLE HORSE" MEANS A RIDING HORSE FURNISHED TO A VISITOR OR RESIDENT, FOR A PERIOD OF TIME LESS THAN 1 WEEK, FOR USE IN MACKINAC ISLAND STATE PARK AT A RENTAL FEE, WHETHER THAT FEE IS SEPARATELY IDENTIFIED OR INCLUDED IN OTHER CHARGES, SUCH AS ROOM RENTALS, EITHER EXPLICITLY OR IMPLICITLY.

(N) "SIGHT-SEEING CARRIAGES" MEANS ANY HORSE-DRAWN VEHICLE THAT CARRIES PASSENGERS FOR HIRE OVER PRESCRIBED ROUTES ESTABLISHED BY THE COMMISSION.

(O) "SNOWMOBILE" MEANS A MOTOR DRIVEN VEHICLE DESIGNED FOR TRAVEL PRIMARILY ON SNOW OR ICE OF A TYPE THAT UTILIZES SLED TYPE RUNNERS OR SKIS, OR AN ENDLESS BELT TREAD, OR ANY COMBINATION OF THESE OR OTHER SIMILAR MEANS OF CONTACT WITH THE SURFACE UPON WHICH IT IS OPERATED. IT IS NOT A VEHICLE THAT MUST BE REGISTERED UNDER THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923.

(P) "STATE LICENSE IDENTIFICATION PLATE" MEANS A METALLIC PLATE ISSUED BY THE COMMISSION THAT BEARS THE LICENSE TYPE, THE YEAR FOR WHICH THE PLATE IS VALID, A UNIQUE NUMBER, AND ANY OTHER INFORMATION AS DETERMINED BY THE COMMISSION.

(Q) "TAXICAB" MEANS ANY HORSE-DRAWN VEHICLE CARRYING PASSENGERS FOR HIRE FROM ONE POINT ON THE ISLAND TO ANOTHER.

R 318.112 ~~Road~~. RESCINDED.

~~Rule 2. "Road" shall mean any thoroughfare, roadway, riding trail, or driving trail that is situated on lands that are under the jurisdiction of this commission.~~

R 318.113 ~~Commission~~ RESCINDED.

~~Rule 3. "Commission" shall mean the Mackinac Island state park commission.~~

R 318.114 ~~Carrying passengers for hire~~ RESCINDED.

~~Rule 4. "Carrying passengers for hire" shall mean the acts of any person transporting passengers to any point or points on the road or roads, as defined in R 318.112, for a specified monetary consideration, or acts of accepting gratuities for said purposes.~~

R 318.115 ~~Sight-seeing carriages~~ RESCINDED.

~~Rule 5. "Sight-seeing carriages" shall mean horse-drawn vehicles which carry passengers for hire over prescribed routes established by the commission.~~

R 318.116 ~~Taxicab~~ RESCINDED.

~~Rule 6. "Taxicab" shall mean any horse-drawn vehicle carrying passengers for hire from one point on the island to another.~~

R 318.117 ~~Drive yourself carriage~~ RESCINDED.

~~Rule 7. "Drive yourself carriage" shall mean any horse-drawn vehicle for hire which is rented to another person or persons without the services of a driver being employed, engaged, provided, or suggested by the owner or operator of such carriage.~~

R 318.118 ~~Livery carriage~~ RESCINDED.

~~Rule 8. "Livery carriage" shall mean any horse-drawn vehicle for hire transporting passengers for scenic drives charging on a time basis; that is, by the hour or fractions or multiples thereof, and not at a fixed price per passenger.~~

R 318.119 ~~Fort Mackinac bus~~ RESCINDED.

~~Rule 9. "Fort Mackinac bus" shall mean any horse-drawn vehicle operated by Mackinac Island carriage tours, inc., a Michigan corporation, for transportation of passengers only from the downtown area directly to Fort Mackinac and return.~~

R 318.119a ~~Hotel bus~~ RESCINDED.

~~Rule 9a. "Hotel bus" shall mean a horse-drawn vehicle licensed to a specific hotel operating over the roads of the Mackinac Island state park, and~~

~~(a) Carries hotel passengers or their guests for a charge as approved by the Mackinac Island state park commission.~~

~~(b) Operates on a fixed route or routes as designated by the Mackinac Island state park commission.~~

~~(c) Makes infrequent deviations from the designated route or routes for the convenience of hotel guests or their party.~~

R 318.119c ~~Snowmobile~~ RESCINDED.

~~Rule 9c. "Snowmobile" means a motor-driven vehicle designed for travel primarily on snow or ice of a type which utilizes sled-type runners or skis, or an endless belt tread or any combination of these or other similar means of contact with the surface upon which it is operated. It is not a vehicle which must be registered under Act No. 300 of the Public Acts of 1949, as amended, being §§257.1 to 257.923 of the Michigan Compiled Laws.~~

R 318.119d Saddle horse RESCINDED.

Rule 19d. "Saddle horse" means a riding horse furnished to a visitor or resident for use in Mackinac Island state park at a rental fee, whether that fee is separately identified or included in other charges, such as room rentals, either explicitly or implicitly, for a period of time less than 1 week.

R 318.120 Drays RESCINDED.

Rule 20. "Drays" shall mean a horse drawn vehicle used in the transportation of property, goods, and merchandise, either belonging to the owner of such dray or to others with or without charge, whether such charge be by single fee or established by contract.

R 318.121 License fee required.

Rule 21. A person shall not operate any horse-drawn vehicle carrying passengers for hire over the ANY roads until he THE PERSON has been granted permission A LICENSE by the commission or its agent in writing and has paid an THE annual fee to the state as determined by the commission.

R 318.122 Temporary permits.

Rule 22. (1) A person shall not operate a MOTOR vehicle ~~capable of being self propelled or mechanically driven over the roads or~~ within the MACKINAC ISLAND STATE park without ~~written permission of the commission or its duly authorized agent~~ A TEMPORARY PERMIT. The commission, or its duly authorized agent, shall issue a temporary permit for the operation of motor-driven vehicles ~~over the roads~~ for such emergency or public and private work as the commission shall prescribe and approve. An application for a temporary permit shall be submitted in writing to the commission or its duly authorized agent and shall set forth fully the reasons for the request and the period of the permit. The commission has authority to require property damage and public liability insurance of any applicant in an amount sufficient, in its judgment, for adequate protection of persons and property. The ~~superintendent~~ DIRECTOR shall keep a written record of all permits issued, and the commission reserves the right to revoke any permit so issued at any time, giving notice in writing to the permit holder and setting forth the reasons for the revocation.

(2) The state of Michigan or any political subdivision thereof may be permitted to operate its emergency and utility vehicles over the Mackinac Island state park roads in the normal performance of its governmental functions.

R 318.122a Hotel bus ~~permit~~ LICENSE.

Rule 22a. Any hotel operating on Mackinac Island may apply for and be granted a ~~permit~~ LICENSE TO OPERATE A HOTEL BUS after the payment of a fee of \$1.00 ~~to operate a hotel bus~~ provided the Mackinac Island state park commission shall findS:

(a) That the application is made by the hotel owner and the bus is to be ~~owned and operated by such hotel owner~~ for the convenience of hotel guests and those accompanying them, AND;

(b) That the location of the hotel is such that it is necessary to provide transportation for guests to and from the docks.

~~(c) That the number of guests lodging at such hotel is such that they cannot be conveniently served at all times by taxicabs.~~

R 318.122b Dray ~~permits~~ LICENSE.

Rule 22b. ~~All drays~~ ANY PERSON operating A DRAY within the Mackinac Island state park shall have a ~~permit~~ LICENSE issued by the commission, ~~and maximum rates may be set by the commission~~ THE COMMISSION MAY ESTABLISH THE RATE FOR DRAY SERVICES.

R 318.123 Applications for ~~permits~~ LICENSES.

Rule 23. An application ~~for the right~~ FOR A LICENSE to operate a horse-drawn vehicle for hire or saddle horse for hire shall be made to the commission in writing ~~at its Mackinac Island office~~.

R 318.124 Identification plates.

Rule 24. A person shall not operate a horse-drawn vehicle ~~carrying passengers~~ for hire unless ~~his~~ THE PERSON'S carriage or carriages are equipped with a "state ~~permit~~ LICENSE" identification plate" which shall be furnished by the commission and which shall continue to be the property of the state of Michigan.

R 318.126 ~~Classes of permits~~. RESCINDED.

Rule 26. ~~The commission shall by rule determine each class of permit.~~

R 318.127 Violation of rules.

Rule 27. Any person violating ~~provision~~ of any of these rules or other conditions of ~~the~~ A-~~contract~~ LICENSE may have ~~his~~ THEIR license revoked OR ~~and his right to drive any vehicle may be~~ suspended.

R 318.129 Nontransferability of state ~~permit~~ LICENSE.

Rule 29. The "state ~~permit~~" LICENSE IDENTIFICATION PLATE" issued by the commission shall be securely and conspicuously attached to each vehicle WITHOUT VISIBLE OBSTRUCTION, and shall not be transferable to any other vehicle except with consent of the commission or its authorized agent.

R 318.133 Conduct of ~~permittee's~~ LICENSEE'S employees.

Rule 33. Any person ~~permitted~~ LICENSED to operate vehicles under these rules shall be responsible for the conduct of ~~his~~ THE PERSON'S employees.

R 318.134 ~~Contracts~~ AGREEMENTS with ~~permittees~~ LICENSEES.

Rule 34. The commission shall annually enter into ~~contracts~~ AGEEMENTS with ~~permittees~~ LICENSEES for the purpose of prescribing conditions of operation.

~~R 318.135 Injunction~~ RESCINDED.

~~Rule 35. The superintendent upon instructions from the commission or any member thereof shall, with the approval of the attorney general, apply to the circuit court of Mackinac county for injunctive relief against any person wilfully violating these rules.~~

R 318.136 Number of carriage ~~permits~~ LICENSES.

Rule 36. ON OR BEFORE JUNE 1 OF EACH YEAR, ~~The~~ commission shall issue, ~~on or before June 1 of each year, such~~ THE number of ~~permits~~ LICENSES for ~~carriages for hire~~ HORSE-DRAWN VEHICLES CARRYING PASSENGERS FOR HIRE as, THAT in its judgment, ~~will~~ adequately serve the public, but not more than the following maximum numbers:

(a) Sight-seeing carriages 55 ~~permits~~-LICENSES

(b) Taxicabs..... 17 ~~permits~~-LICENSES

- (c) Drive-yourself carriages..... 18 ~~permits~~ LICENSES
(d) Livery carriages..... 21 ~~permits~~ LICENSES

R 318.141 Scope and definitions.

Rule 41. (1) These rules govern the use of and occupancy of the Mackinac Island state park, THE HISTORIC MILL CREEK STATE PARK, and the Michilimackinac state park.
(2) "Proper permission," as used in R 318.142 to R 318.145, means a written permit OR LICENSE authorized by the ~~Mackinac Island state park~~ commission and issued by its director or authorized representative.

R 318.142 Signs, fences, improvements, and posted lands.

Rule 42. (1) It is unlawful to post, place, or erect signs, place or distribute advertising material, erect a fence or barrier, construct or occupy improvements, or TO enclosed state-owned lands, without proper permission.
(2) It is unlawful to move, remove, destroy, mutilate, or deface posters, notices, signs, or markers of the ~~Mackinac Island state park~~ commission or of any other agency of government.
(3) It is unlawful to enter, use, or occupy park lands for any purpose when they are posted against such entry, use, or occupancy, as ordered by the ~~Mackinac Island state park~~ commission.

R 318.143 Camping and hunting.

Rule 43. (1) ~~It is unlawful to~~ A PERSON SHALL NOT camp within the Mackinac Island state park, HISTORIC MILL CREEK STATE PARK, or Michilimackinac state park.
(2) ~~It is unlawful to~~ A PERSON SHALL NOT hunt in Mackinac Island state park or Michilimackinac state park. ~~It is unlawful to~~ A PERSON SHALL NOT carry or have in possession a firearm without proper permission, unless unloaded in both barrel and magazine;; ~~to shoot an air rifle or , air pistol, PAINTBALL~~ EMITTING DEVICE OF ANY KIND, or slingshot; ; ~~and~~ OR ~~to shoot with~~ A bow and arrow OR CROSSBOW.

R 318.144 Refuse and fires.

Rule 44. (1) ~~It is unlawful to~~ A PERSON SHALL NOT use park lands or facilities as a place to KEEP OR dispose of refuse, rubbish, trash, garbage, or other litter. This does not apply to refuse or garbage, resulting from legal uses of park lands, which shall be placed in proper receptacles ~~or buried under supervision of the director.~~
(2) ~~It is unlawful to~~ A PERSON SHALL NOT build fires except in designated places or in stoves or grills as approved by an authorized representative of the ~~Mackinac Island state park~~ commission.

R 318.145 Vehicles and animals.

Rule 45. (1) ~~It is unlawful to~~ A PERSON SHALL NOT operate a ~~self-propelled motor or mechanically driven vehicle within the Mackinac Island state park~~ IN OTHER THAN AN AREA OR ROAD CLEARLY DESIGNATED FOR THE PARKING OR OPERATION OF MOTOR VEHICLES without proper permission ~~pursuant to R 318.22~~
(2) ~~It is unlawful to~~ A PERSON SHALL NOT ride or lead a horse, other riding animal, or pack animal on, or to allow such animal or any animal-drawn vehicle to use or travel on, any areas deemed unsafe for such use by order of the ~~Mackinac Island state park~~ commission and posted against such use.
(3) ~~It is unlawful to~~ A PERSON SHALL NOT possess a dog unless it is under immediate control, or ~~to~~ have a dog within any area used as a bathing beach. Any dog found not in the possession or under the immediate

control of its owner or the owner's agent, or any dog found creating a nuisance or disturbance, may be removed from the park or placed under restraint.

R 318.145b Saddle horse licenses.

Rule 45b. (1) The commission, upon receipt of proper application, may issue, ~~on or before June 10 of each year,~~ annual licenses for such number of saddle horses for use in Mackinac Island state park as may be needed in the interest of public safety and proper service to the public.

(2) Licenses are nontransferable and shall be surrendered to the issuing authority upon demand if any transfer is attempted or if ownership of the licensed business or its location is changed or altered in any way.

(3) ~~Prior to June 10 of each year,~~ The commission shall establish the license fees, terms, and conditions, including the maximum rates per hour charged, under which saddle horses may be supplied for use in the state park.

R 318.146 Miscellaneous unlawful acts.

Rule 46. ON LANDS UNDER THE JURISDICTION OF THE COMMISSION, IT IS UNLAWFUL FOR A PERSON OR PERSONS TO DO ANY OF THE FOLLOWING:

(1) ~~It is unlawful to destroy, damage, or remove any state property, any living tree or shrub, planted grasses, or other vegetation without proper permission.~~

(2A) ~~It is unlawful to u~~Use state park THE lands for commercial purposes OPERATIONS without proper permission. In considering whether or not permission shall be granted, all of the following factors shall be considered:

(ai) Interference with the safety, health, and welfare of the public.

(bii) Need for the service.

(eiii) Whether the service is a duplication of available services.

(3B) ~~It is unlawful to u~~Use a loudspeaker or public address system without proper permission. Permission shall not be granted if such system is capable of interfering with horse-drawn traffic by having the effect of frightening horses, thereby endangering the safety of passengers in such vehicles, pedestrians, bicycle riders, and others.

(4C) ~~It is unlawful to e~~Change clothing in A toilet buildings or motor vehicles.

(5D) ~~It is unlawful to s~~Store or leave a boat, fish shanty, camping equipment, or other property without proper permission. ~~Permission shall be granted by the commission or a duly authorized agent, unless the storing or leaving constitutes an eyesore or a hazard to the traffic and the public.~~

(6E) ~~It is unlawful to e~~Enter those buildings or areas to which an admission fee is established without payment of the fee, or WITHOUT permission given by the commission, a commissioner, the director, or deputy director under order of the commission. Permission normally is to be given only to persons on business with the commission, any member of the commission, or any duly authorized staff member.

(7F) ~~It is unlawful f~~For any lessee, licensee, or concessionaire to use, construct, or occupy any building within the park which is not furnished with an approved dry chemical fire extinguisher. ~~This subrule shall become effective 90 days after filing with the secretary of state.~~

(8G) ~~It is unlawful f~~For any lessee, licensee, or concessionaire to exercise his or her privileges within the park without procuring and keeping in effect such public liability and property damage insurance as the commission may deem adequate.

(9H) ~~It is unlawful f~~For any person to furnish a saddle horse, ~~as defined in R 318.119d,~~ to another person for use in the Mackinac Island state park, unless a current license has been issued by the commission for the use of the saddle horse in the Mackinac Island state park.

(10) ~~It is unlawful to do any of the following:~~

(aI) ~~Engage~~ in any violent, abusive, loud, boisterous, wanton, obscene, or otherwise disorderly conduct creating a breach of the peace; loiter, sit, or lie upon walks, passages, steps, or porches thereby obstructing the free passage of others; or remove, damage, or steal the property of another.

(J) HOLD OR PARTICIPATE IN ANY TYPE OF ROAD RACE OR SPEED CONTEST WITHOUT PROPER PERMISSION.

(K) CONDUCT EXCAVATIONS, DIGGINGS, OR SURVEYS WITHOUT PROPER PERMISSION.

(L) CARRY OR HAVE IN POSSESSION A METAL DETECTOR WITHOUT PROPER PERMISSION.

(M) REMOVE ANY ARCHEOLOGICAL MATERIALS OR ARTIFACTS WITHOUT PROPER PERMISSION.

~~(b) Wilfully obstruct, resist, oppose, or interfere with a commissioned state park officer or peace officer attempting to serve or execute any rule or order lawfully promulgated by the Mackinac Island state park commission.~~

~~(c) Possess or transport, or have under a person's immediate control, any intoxicating liquor, unless the person has attained the age of 21 years.~~

~~R 318.147 Penalties~~ RESCINDED.

~~Rule 47. Violation of any rule or failure to perform any act set forth in R 318.21 to R 318.34, R 318.36, or R 318.42 to R 318.46 is punishable by a fine of not more than \$50.00 and costs of prosecution or by imprisonment in the county jail for not more than 60 days, or by both.~~

NOTICE OF PUBLIC HEARING

ORR # 2002-006

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES

MACKINAC ISLAND STATE PARK COMMISSION

The Mackinac Island State Park Commission will conduct a public hearing on proposed changes to the administrative rules governing conduct on lands administered by the Commission. The proposed rules have been assigned ORR#2002-006HA.

The public hearing will be held:

May 16, 2002 at 5:00 p.m. at the Mackinac Island State Park Visitor Center, Huron Street, Mackinac Island.

The proposed rules are available for inspection at the Office of Regulatory Reform's web site, www.state.mi.us/orr/. Copies of the proposed rules may also be obtained by contacting:

David Armour
Mackinac Island State Park Commission
Box 370
Mackinac Island, MI 49757

All interested persons are invited to attend and present their views. It is requested that all statements be submitted in writing for the hearing record. Anyone unable to attend may submit comments in writing to David Armour at the above address. Written comments must be received by May 23, 2002. Persons needing accommodation for effective participation in the hearing should contact the Mackinac Island State Park Commission at 906-847-3328.

PROPOSED ADMINISTRATIVE RULES

ORR # 2002-026

DEPARTMENT OF AGRICULTURE

RACING COMMISSIONER

GENERAL RULES

Filed with the Secretary of State on _____

This rule takes effect 7 days after filing with the Secretary of State

(By authority conferred on the racing commissioner by section 6 of 1980 PA 327, MCL 431.66 and section 184 of 1965 PA 380, MCL 431.284)

The General Rules of the racing commissioner, department of agriculture, being R 431.1001 to 431.4290 of the Michigan Administrative Code are amended by adding R 431.2061, as follows:

PART 2. MUTUELS

R 431.2061 simulcast purse pool distribution

1. Under section 19 of the act, the commissioner shall issue an annual simulcast purse pool distribution order not later than February 15.
2. For purposes of the purse pool distribution under section 19 (1)(a) and (b) of the act, “thoroughbred simulcasts” and “thoroughbred handle” includes handle from all regulated flat racing by all breeds of horses. Flat racing is a race in which horses mounted by jockeys run over a course on which no jumps or other obstacles are placed.
3. The commissioner shall not include export handle in the calculations for purse pool distribution under section 19(1) (a) and (b). Export handle is all wagering revenue created by a track as a result of that track exporting its simulcast signals.
4. Unless otherwise authorized by the racing commissioner and certified horsemen associations, all monies deposited into the horsemen's simulcast purse pool shall exclusively be used for Michigan live racing purses.
5. The commissioner and all certified horsemen organizations shall have the right to audit purse pool accounts and expenditures and to request and receive a full accounting of purse pool accounts.
6. Any organization or person interfering with the implementation or enforcement of a distribution order issued under this rule shall be subject to sanctions. Sanctions may include, but are not limited to, the revocation or suspension of a license or horsemen organization's certification granted under the act.

NOTICE OF PUBLIC HEARING

**DEPARTMENT OF AGRICULTURE
RACING COMMISSIONER**

ORR # 2002-026

The Office of Racing Commissioner will hold a public hearing on Thursday, May 16, 2002, from 9:00 a.m. until 11:00 a.m. at 37650 Professional Center Drive, Suite 105A, Livonia, Michigan.

The public hearing is being held to receive public comments on proposed promulgation of a new rule regarding the process for determining the annual simulcast purse pool distribution order.

The hearing is being conducted by the Office of Racing Commissioner under Section 16145 of PA 368 of 1978, as amended, and Executive Reorganization 1996-2, being §§333.16145 and 445.2001 of the Michigan Compiled Laws.

Comments may be presented in person, with written comments available at the time of presentation, or submitted by mail prior to the hearing. Written comments will be accepted at the following address until May 14, 2002, at 5:00 p.m. The proposed rules will be published in the *Michigan Register* or may be obtained from the address below:

Office of Racing Commissioner
37650 Professional Center Drive, Suite 105A
Livonia MI 48154-1100
Attention: Kenn Christopher, Special Projects Administrator
E-mail address: christopherk@michigan.gov
Telephone: 734.462.2400

The proposed rule codifies the existing process for determining the annual simulcast purse pool distribution order. The draft rule is also available on the world wide web at: <http://www.michigan.gov/orr> , ORR #2002-026.

The public hearing is conducted in compliance with the 1990 Americans with Disabilities Act. Hearings are held in buildings that accommodate mobility-impaired individuals and accessible parking is available. A disabled individual requiring additional accommodations for effective participation in a hearing should call Connie Kowalski at 734.462.2400 (voice) to make the necessary arrangements. To ensure availability of the accommodation, please call at least one (1) week in advance.

**EXECUTIVE ORDERS
AND
EXECUTIVE REORGANIZATION ORDERS**

MCL 24.208 states in part:

“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

(a) Executive orders and executive reorganization orders.”

EXECUTIVE ORDERS

EXECUTIVE ORDER

2002 - 7

CHILD SUPPORT COORDINATING COUNCIL

MICHIGAN CHILD SUPPORT LEADERSHIP COUNCIL

EXECUTIVE REORGANIZATION

WHEREAS, the family constitutes the basic unit of society, children represent the future of our state and society, and government policies should encourage and recognize the involvement and contributions of both parents in the successful upbringing of their children; and

WHEREAS, the payment of child support contributes to family self-sufficiency, fosters responsible behavior toward and by children, and sends a powerful message to children about the support of both parents; and

WHEREAS, the benefits of establishing paternity and the involvement of both parents include a sense of identity, financial support, social security, insurance, inheritance rights, and access to important family medical history; and

WHEREAS, the child support enforcement program in Michigan is operated through a partnership of the state and counties, the success of which relies on the contributions and efforts of all branches of government.

NOW, THEREFORE, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby order the following, concurrent with the Michigan Supreme Court Administrative Order issued on this date:

I. DEFINITIONS

A. "Council" means the Michigan Child Support Leadership Council established by this Executive Order.

B. "Child Support Coordinating Council" means the council established by Executive Order 1997-17.

C. "Family Independence Agency" means the principal department of state government created by Section 1 of Act No. 280 of the Public Acts of 1939, as amended, being Section 400.1 of the Michigan Compiled Laws.

D. "State Court Administrative Office" means the office established by the Michigan Supreme Court to perform administrative duties as assigned by the court pursuant to Article VI, Section 3, of the Constitution of the state of Michigan of 1963.

II. ESTABLISHMENT OF THE CHILD SUPPORT LEADERSHIP COUNCIL

A. The Michigan Child Support Leadership Council is hereby established as an advisory body to the Executive Office of the Governor and the Michigan Supreme Court.

B. The council shall consist of nine (9) members:

1. Four (4) appointed by the Governor;
2. Four (4) appointed by the Chief Justice; and,
3. One (1) appointed jointly by the Governor and Chief Justice from a list of three (3) nominees submitted by the Prosecuting Attorneys Association of Michigan.

C. Except as otherwise provided in this subsection, appointees shall hold office for a term of two (2) years. However, of the appointees initially appointed, the Governor shall designate two (2) of the Governor's appointees to serve a term of one (1) year, and the Chief Justice shall designate two (2) of the Chief Justice's appointees to serve a term of one (1) year.

D. A vacancy on the council caused by the expiration of a term or other cause of termination of membership on the council shall be filled in the same manner as the original appointment.

E. An appointee appointed to fill a vacancy created other than by expiration of a term shall be appointed for the unexpired term of the appointee who he or she is to succeed in the same manner as the original appointment. An appointee may be reappointed for additional terms.

III. CHARGE TO THE COUNCIL

The council shall be advisory in nature and shall assist the Governor and the Michigan Supreme Court with the following functions:

A. The council shall develop recommendations for statewide program goals and objectives for the child support program for submission to the Governor and the Chief Justice as follows:

1. Each year the council shall submit recommendations for annual statewide goals and objectives, as well as strategies to accomplish those goals and objectives, to the Governor and Chief Justice. Copies of the recommendations shall also be provided to the Director of the Family Independence Agency and the State Court Administrator. The Governor and Chief Justice, within sixty (60) days, may amend the recommendations and approve them or approve them as submitted.

2. The council shall submit an interim report on its recommendations to the Governor and Chief Justice by September 30, 2002. Thereafter, the Council shall submit annual reports on its recommendations to the Governor and Chief Justice by December 31st each year, beginning in December 2002. The annual reports shall include a summary of issues reviewed by the Council for the calendar year for which the report is issued.

B. The council shall continuously provide reviews of and comments on child support program policies and procedures to the Family Independence Agency and the State Court Administrative Office.

C. The council shall regularly analyze and recommend state positions on pending and proposed changes in court rules and federal and state legislation to the Family Independence Agency and the State Court Administrative Office.

IV. OPERATIONS OF THE COUNCIL

A. The Governor and the Chief Justice shall each designate a member of the council to serve as co-chairperson of the council who shall share the powers of directing the council equally. The co-chairpersons shall serve as co-chairpersons at the pleasure of the Governor and the Chief Justice respectively.

B. The council may adopt procedures, not inconsistent with law and with this Order, governing its organization, operation and procedure.

C. Members of the council shall not delegate their responsibilities to other persons. A majority of the serving members constitutes a quorum for the transaction of business at a meeting. The council shall act by a majority vote of its serving members.

D. The council shall meet at least quarterly and at the call of the co-chairpersons as may be provided in the procedures of the council. Meetings of the council may be held at any location within the state of Michigan.

E. In developing recommendations, the council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The council may consult with outside experts in order to perform its duties.

F. Policy changes in federal or state laws or court rules shall be presented to the council by the Office of Child Support (federal or state law change), the State Court Administrative Office (state law or court rule change), or be submitted to either co-chairperson from other sources. The council shall develop a format for presentation and discussion of issues, which shall include an opportunity for issues to be raised through information sharing during regular meetings or to be placed on the agenda through either co-chairperson.

G. If the council cannot reach agreement on an issue requiring its recommendation, the alternative positions shall be documented in writing for consideration by the Governor and Chief Justice.

H. Members of the council shall serve without compensation. Members of the council may receive reimbursement for necessary travel and expenses according to relevant statutes, rules and procedures of the

Department of Management and Budget, the Civil Service Commission, and the State Court Administrative Office.

I. Members of the council shall refer all legal, legislative and media contacts to the Executive Office of the Governor and the Michigan Supreme Court.

J. The council shall be staffed by personnel within the Executive Office of the Governor, the Michigan Supreme Court, the Family Independence Agency and the State Court Administrative Office.

K. All departments, committees, commissioners or officers of the state or of any political subdivision thereof shall give to the council, or to any member or representative thereof, any necessary assistance required by the council, or any member or representative thereof, in the performance of the duties of the council so far as is compatible with its, his or her duties; free access shall also be given to any books, records or documents in its, his or her custody, relating to matters within the scope of inquiry, study or investigation of the council.

V. MISCELLANEOUS

A. Any suit, action or other proceeding lawfully commenced by, against or before any entity effected by this Order, shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

B. Executive Order 1997-17, creating the Child Support Coordinating Council, is hereby rescinded in its entirety as of the effective date of this order. The Child Support Coordinating Council created by Executive Order 1997-17 is hereby abolished as of the effective date of this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder thereof.

The provisions of this Executive Order shall become effective upon filing.

Given under my hand and the Great Seal of the State of Michigan this _____ day of April, in the Year of our Lord, Two Thousand Two.

GOVERNOR

BY THE GOVERNOR:

SECRETARY OF STATE

**OPINIONS OF THE
ATTORNEY GENERAL**

MCL 14.32 states in part:

“It shall be the duty of the attorney general, when required, to give his opinion upon all questions of law submitted to him by the legislature, or by either branch thereof, or by the governor, auditor general, treasurer or any other state officer”

MCL 24.208 states in part:

“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(j) Attorney general opinions. ”

OPINIONS OF THE ATTORNEY GENERAL

MOTOR VEHICLES:

Motor vehicle equipped with rear-view camera and in-vehicle monitor

A motor vehicle equipped with a rear-view camera and an in-vehicle monitor that operates and whose picture can be seen by the driver only when the vehicle is motionless or in reverse gear does not violate section 708b of the Michigan Vehicle Code.

Opinion No. 7104

April 12, 2002

Honorable Buzz Thomas
State Representative
The Capitol
Lansing, MI 48913

You have asked if a motor vehicle equipped with a rear-view camera and an in-vehicle monitor that operates and whose picture can be seen by the driver only when the vehicle is motionless or in reverse gear violates section 708b of the Michigan Vehicle Code.

The Michigan Vehicle Code, MCL 257.1 *et seq.*, regulates vehicles operated upon the public highways of the State of Michigan. Section 708b of the Code addresses equipping vehicles with the means of visually receiving data viewable by the driver. Subsection (1) prohibits a person from equipping a motor vehicle with any means of visually receiving a television or video broadcast viewable by or reflected to the driver or operating a vehicle so equipped. Specifically, subsection (1) states:

A person shall not equip or operate a motor vehicle that is to be used upon the highways of this state with a television viewer, screen, or other means of visually receiving a television or video broadcast which can be viewed by or reflected to the driver. [MCL 257.708b(1).]

Section 708b(2)(d) lists a number of exceptions to this prohibition. Among these exceptions is subsection (2)(d), which states that subsection (1) does not apply to “[a] motor vehicle equipped with a video display to monitor the rear view of the vehicle if the monitor is only activated when the vehicle is motionless or in reverse gear.”

The primary rule of judicial interpretation of statutes is to ascertain and give effect to the intent of the Legislature. *Frankenmuth Mut Ins Co v Marlette Homes, Inc*, 456 Mich 511, 515; 573 NW2d 611 (1998). The first criterion for determining legislative intent is the specific language of the statute. *In re MCI Telecommunications Complaint*, 460 Mich 396, 411; 596 NW2d 164 (1999). The Legislature is presumed to have intended the meaning it plainly expressed. *Nation v WDE Electric Co*, 454 Mich 489, 494; 563 NW2d 233 (1997). Where the language of a statute is clear and unambiguous, judicial construction is generally neither necessary nor permitted. *Lorencz v Ford Motor Co*, 439 Mich 370, 376; 483 NW2d 844 (1992).

The statutory language in section 708b(2)(d) is clear and unambiguous. Applying the unambiguous language of the Code to your question, it is clear that a motor vehicle equipped with a rear-view camera and in-vehicle monitor that operates and whose picture can be seen by the driver only when the vehicle is in reverse gear complies with section 708b of the Michigan Vehicle Code.

It is my opinion, therefore, that a motor vehicle equipped with a rear-view camera and an in-vehicle monitor that operates and whose picture can be seen by the driver only when the vehicle is motionless or in reverse gear does not violate section 708b of the Michigan Vehicle Code.

JENNIFER M. GRANHOLM
Attorney General

**ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2002 SESSION)**

Mich. Const. Art. IV, §33 provides: “Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated.”

Mich. Const. Art. IV, §27, further provides: “No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house.”

MCL 24.208 states in part:

“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.”

**ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2002 SESSION)**

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
1		472	Yes	1/21	1/23	01/23/02	STATE; Funds; children's trust fund; revise investment options. (Sen. S. Johnson)
2	5027		Yes	1/21	1/23	01/23/02	HIGHWAYS; Name; renaming certain portion of M-69; designate as "Oscar G. Johnson Memorial Highway". (Rep. D. Bovin)
3		430	No	2/6	2/7	**	ENVIRONMENTAL PROTECTION; Other; dark sky preserve; repeal sunset. (Sen. B. Hammerstrom)
4		471	Yes	2/6	2/7	02/07/02	FINANCIAL INSTITUTIONS; Other; licensing of residential mortgage originator; clarify. (Sen. B. Leland)
5		615	Yes	2/6	2/7	02/07/02	HIGHWAYS; Name; renaming a certain portion of US-127; establish as the "Gary Priess Memorial Highway." (Sen. V. Garcia)
6	5436		Yes	2/14	2/14	02/14/02	PROPERTY; Conveyances; transfer of certain state owned properties in Tuscola county and Wayne county; provide for. (Rep. T. Meyer)
7		682	Yes	2/14	2/14	02/14/02	CHILDREN; Support; citation in divorce law; enact change necessitated by 2001 PA 107. (Sen. B. Hammerstrom)
8		683	Yes	2/14	2/14	02/14/02	CHILDREN; Support; citation in the family support act; enact changes necessitated by 2001 PA 111. (Sen. B. Hammerstrom)
9		684	Yes	2/14	2/14	02/14/02	CHILDREN; Support; citation in child custody act; enact change necessitated by 2001 PA 108. (Sen. B. Hammerstrom)
10		434	Yes	2/14	2/14	02/14/02	CHILDREN; Protection; reporting suspected child abuse or neglect; clarify provisions and add categories of mandated reporters. (Sen. B. Hammerstrom)

* - I.E. means Legislature voted to give the Act immediate effect.

** - Act takes effect on the 91st day after *sine die* adjournment of the Legislature.

*** - See Act for applicable effective date.

+ - Line item veto

- Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
11	4195		Yes	2/18	2/19	02/19/02	HEALTH FACILITIES; Nursing homes; individual responsible for receiving complaints and conducting complaint investigations; require nursing home to have such individual available 24 hours per day, 7 days per week. (Rep. B. Patterson)
12	4980		Yes	2/18	2/19	02/19/02	HIGHWAYS; Name; renaming certain portion of I-69; designate as "Purple Heart Highway." (Rep. P. DeWeese)
13	5005		Yes	2/18	2/19	2/19/02	TRANSPORTATION; Other; motor fuels quality; revise standards and penalties. (Rep. L. Julian)
14	5009		Yes	2/18	2/19	2/19/02	CHILDREN; Abuse or neglect; failure to report; increase penalties. (Rep. M. Middaugh)
15	4487		Yes	2/21	2/21	2/21/02	COMMERCIAL CODE; Sales; price of goods for which a writing is required for an enforceable contract; increase minimum to \$1,000.00. (Rep. J. Koetje)
16	4009		Yes	2/27	2/28	2/28/02	AGRICULTURE; Other; low-interest loans for certain agricultural disasters; provide for. (Rep. R. Jelinek)
17	4812		Yes	2/28	3/1	3/1/02	LIENS; Generally; ownership and lien rights of dies, molds, and forms ; revise. (Rep. A. Richner)
18	5382		Yes	2/28	3/1	3/1/2002 #	COMMERCIAL CODE; Secured transactions; reference to molder's lien act in secured transactions; amend uniform commercial code to provide. (Rep. M. Mortimer)
19	5023		Yes	3/4	3/4	03/04/02	COUNTIES; Other; recording requirements of register of deeds; revise. (Rep. A. Sanborn)
20	5024		Yes	3/4	3/4	03/04/02	PROPERTY; Land contracts; contracts for sale of land; eliminate witness requirement. (Rep. A. Sanborn)
21	5025		Yes	3/4	3/4	03/04/02	LAND USE; Land division; signatures on proprietor's certificate on the plat; eliminate witness requirement. (Rep. A. Sanborn)

* - I.E. means Legislature voted to give the Act immediate effect.

** - Act takes effect on the 91st day after *sine die* adjournment of the Legislature.

*** - See Act for applicable effective date.

+ - Line item veto

- Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
22	5186		Yes	3/4	3/4	03/04/02	COUNTIES ; Employees and officers; requirement for medical examiner to live in county of appointment; eliminate, and repeal acts and parts of acts. (Rep. G. Van Woerkom)
23	5022		Yes	3/4	3/4	03/04/02	COUNTIES ; Employees and officers; procedure for recording deeds and mortgages; eliminate witness requirement. (Rep. A. Sanborn)
24		505	No	3/5	3/6	** #	CRIMINAL PROCEDURE ; Sentencing guidelines; sentencing guideline provisions for possession of firearms on commercial airport property; provide for. (Sen. P. Hoffman)
25		718	Yes	3/5	3/6	03/06/02	WORKER'S COMPENSATION ; Insurers; certain assessments; revise. (Sen. B. Bullard Jr.)
26		496	Yes	3/5	3/6	03/06/02	INSURANCE ; Insurers; service of process in certain cases; provide for. (Sen. B. Bullard Jr.)
27	4028		Yes	3/5	3/6	03/06/02	LOCAL GOVERNMENT ; Other; spot blight designation and acquisition; provide for. (Rep. A. Richner)
28	5389		Yes	3/7	3/7	04/01/02	CRIMINAL PROCEDURE ; Sentencing guidelines; technical amendments; provide for. (Rep. W. McConico)
29	5390		Yes	3/7	3/7	04/01/02	CRIMINAL PROCEDURE ; Sentencing guidelines; technical amendments; provide for. (Rep. W. O'Neil)
30	5391		Yes	3/7	3/7	04/01/02	CRIMINAL PROCEDURE ; Sentencing guidelines; technical amendments; provide for. (Rep. J. Faunce)
31	5392		Yes	3/7	3/7	04/01/02	CRIMINAL PROCEDURE ; Sentencing guidelines; technical amendments; provide for. (Rep. L. Julian)

* - I.E. means Legislature voted to give the Act immediate effect.

** - Act takes effect on the 91st day after *sine die* adjournment of the Legislature.

*** - See Act for applicable effective date.

+ - Line item veto

- Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
32		493	Yes	3/7	3/7	03/07/02	INSURANCE ; Other; requirement for commissioner to obtain approval of a circuit court judge before issuing a subpoena in certain cases; eliminate. (Sen. B. Bullard Jr.)
33	5483		Yes	3/7	3/7	3/7/2002 #	BUSINESSES ; Nonprofit corporations; career development and distance learning; provide for in nonprofit corporation act. (Rep. J. Gilbert II)
34	5393		Yes	3/7	3/7	***	CRIMINAL PROCEDURE ; Sentencing guidelines; technical amendments; provide for. (Rep. J. Faunce)
35		541	Yes	3/7	3/7	05/15/02	AERONAUTICS ; Other; general amendments; provide for. (Sen. W. North)
36	5482		Yes	3/7	3/7	03/07/02	BUSINESSES ; Nonprofit corporations; establishment and operation of registered distance learning corporations; authorize. (Rep. J. Allen)
37		604	Yes	3/7	3/7	03/07/02	INSURANCE ; Property and casualty; mandatory exams of rating organizations; eliminate. (Sen. V. Garcia)
38		605	Yes	3/7	3/7	03/07/02	INSURANCE ; No-fault; reference to public service commission certification; revise to the department of transportation. (Sen. M. Goschka)
39	5139		Yes	3/11	3/12	03/12/02	EDUCATION ; School districts; access to high school campus and certain student directory information for official armed forces recruiting representatives; require. (Rep. W. Kuipers)
40	4690		Yes	3/11	3/12	03/12/02	STATE ; Interstate compacts and agreements; Michigan participation in the interstate compact for adult offender supervision; establish. (Rep. C. LaSata)
41	5337		Yes	3/11	3/12	03/12/02	TRANSPORTATION ; Carriers; weight restrictions on certain highways or roads; revise. (Rep. J. Gilbert II)

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+ - Line item veto

- Tie bar

Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
42	4987		Yes	3/12	3/12	03/12/02	OCCUPATIONS; Real estate; procedure for a deposit held by an escrowee; clarify. (Rep. M. Bishop)
43		180	Yes	3/13	3/14	03/14/02	CRIMES; Prostitution; qualifying underlying offenses to establish second, third, and subsequent offense violations; amend. (Sen. B. Schuette)
44	4325		Yes	3/13	3/14	6/1/2002 #	CRIMES; Prostitution; criteria for determining prior prostitution offenses; amend to include consideration of local ordinance violations. (Rep. C. Bisbee)
45	5449		Yes	3/13	3/14	6/1/2002 #	CRIMES; Prostitution; age limit restricting prosecution for certain prostitution violations; revise, and eliminate requirement of knowledge of age of child for certain other sex-related crimes. (Rep. J. Gilbert II)
46		1029	Yes	3/13	3/14	6/1/2002 #	CRIMES; Prostitution; age limit for charging certain prostitution violations; revise. (Sen. T. McCotter)
47	5033		Yes	3/13	3/14	6/1/2002 #	CRIMINAL PROCEDURE; Sentencing guidelines; sentencing guidelines for crime of soliciting child to commit an immoral act; enact. (Rep. M. Kowall)
48		880	Yes	3/14	3/14	11/1/2002 #	PUBLIC UTILITIES; Other; fee structures for use of public rights-of-way; provide for. (Sen. J. Schwarz)
49		881	Yes	3/14	3/14	03/14/02	COMMUNICATIONS; Telecommunications; Michigan community communications development authority; create. (Sen. L. Stille)
50		999	Yes	3/14	3/14	3/14/2002 #	PROPERTY TAX; Other; credit for the purchase and installation of certain telecommunications equipment; provide for. (Sen. V. Garcia)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
51	4672		Yes	3/12	3/15	03/15/02	EDUCATION ; Other; model local policy concerning the administration of medications to students at school; provide for. (Rep. J. Hansen)
52		796	Yes	3/12	3/15	*** #	NATURAL RESOURCES ; Trust funds; natural resources trust fund; provide for expanded investment authority. (Sen. G. McManus Jr.)
53		797	Yes	3/12	3/15	*** #	VETERANS ; Trust fund; investment authority; expand. (Sen. V. Garcia)
54		798	Yes	3/12	3/15	*** #	NATURAL RESOURCES ; Trust funds; state parks endowment fund; provide for expanded investment authority. (Sen. C. Dingell)
55		799	Yes	3/12	3/15	*** #	NATURAL RESOURCES ; Trust funds; nongame fish and wildlife trust fund; expand investment authority. (Sen. A. Smith)
56		800	Yes	3/12	3/15	*** #	NATURAL RESOURCES ; Trust funds; game and fish protection trust fund; expand investment authority. (Sen. L. Bennett)
57		801	Yes	3/12	3/15	*** #	NATURAL RESOURCES ; Trust funds; Michigan civilian conservation corps endowment fund; expand investment authority. (Sen. D. Koivisto)
58	5404		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of the revised school code; modify. (Rep. J. Allen)
59	5405		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of school districts to pay for loans from state; modify. (Rep. M. Bishop)
60	5406		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority for emergency loans for school districts; repeal. (Rep. L. DeVuyst)
61	5407		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of the revised school code; modify. (Rep. J. Gilbert II)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
62	5408		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of the revised school code; modify. (Rep. J. Howell)
63	5409		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of the revised school code; modify. (Rep. J. Koetje)
64	5410		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of the revised school code; modify. (Rep. M. Middaugh)
65	5414		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of the revised school code; modify. (Rep. S. Thomas III)
66	5412		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of the revised school code; modify. (Rep. G. Van Woerkom)
67	5413		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of the revised school code; modify. (Rep. S. Vear)
68	5416		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of the revised school code; modify. (Rep. L. Lemmons III)
69	5417		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of the revised school code; modify. (Rep. A. Lipsey)
70	5418		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of the revised school code; modify. (Rep. J. Rivet)
71	5419		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of the school aid act; modify. (Rep. M. Waters)
72	5420		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of community colleges; modify. (Rep. P. Zelenko)
73	5423		Yes	3/14	3/15	03/15/02	LOCAL GOVERNMENT ; Bonds; bonding authority of community colleges; modify. (Rep. M. Pumford)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
74		592	Yes	3/14	3/15	03/15/02	INSURANCE; Third party administrators; requirement that third party administrators have administrative service manager; eliminate. (Sen. B. Bullard Jr.)
75		692	Yes	3/14	3/15	03/15/02	LAND USE; Farmland and open space; agricultural conservation easement or purchase of development rights; provide that entry into automatically terminates development rights agreement without lien and entitles landowner to tax credit and revise circumstances for relinquishment of farmland from development rights agreement. (Sen. B. Hammerstrom)
76	5119		Yes	3/14	3/15	03/15/02	LIQUOR; Licenses; small distillery license fee; decrease. (Rep. S. Rocca)
77	5585		Yes	3/21	3/21	03/21/02	CIVIL PROCEDURE; Civil actions; interest on judgment on a written instrument evidencing indebtedness that bears an interest rate; revise to make application of recent change prospective and provide mechanism for fixing rate when instrument bears a variable interest rate. (Rep. A. Richner)
78	5205		Yes	3/25	3/25	03/25/02	TRANSPORTATION; Carriers; number of axles allowed on certain designated highways; clarify. (Rep. J. Gilbert II)
79	4859		Yes	3/25	3/25	03/25/02	CORRECTIONS; Employees; record of controlled substance offenses that were subject to dismissal and discharge; allow to be used by department of corrections or law enforcement agencies for specified purposes. (Rep. L. Julian)
80	5434		No	3/25	3/25	**	TRADE; Other; grain dealers act; provide general amendments. (Rep. T. Meyer)
81	4860		Yes	3/25	3/25	03/25/02	NATURAL RESOURCES; Hunting; requirement for lottery to issue wild turkey hunting license; eliminate. (Rep. M. Mortimer)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
82	5026		Yes	3/25	3/26	03/26/02	WEAPONS; Firearms; transportation requirements for certain firearms ; clarify. (Rep. S. Vear)
83		884	Yes	3/25	3/26	03/26/02	LEGISLATURE; Auditor general; reference to auditor general in vocational education acts; eliminate. (Sen. T. McCotter)
84		885	Yes	3/25	3/26	03/26/02	LEGISLATURE; Auditor general; reference to auditor general in social welfare act; eliminate. (Sen. T. McCotter)
85		886	Yes	3/25	3/26	03/26/02	LEGISLATURE; Auditor general; reference to auditor general regarding commitment to certain institutions; eliminate. (Sen. T. McCotter)
86		888	Yes	3/25	3/26	03/26/02	LEGISLATURE; Auditor general; reference to auditor general regarding certain auction duties; eliminate. (Sen. T. McCotter)
87		890	Yes	3/25	3/26	03/26/02	LEGISLATURE; Auditor general; act regarding Michigan dairymen's association; repeal. (Sen. T. McCotter)
88		894	Yes	3/25	3/26	03/26/02	LEGISLATURE; Auditor general; reference to auditor general in the code of criminal procedure; eliminate. (Sen. T. McCotter)
89		895	Yes	3/25	3/26	03/26/02	LEGISLATURE; Auditor general; reference to auditor general in the prison code; eliminate. (Sen. T. McCotter)
90		690	Yes	3/26	3/26	03/26/02	STATE; Authorities; authority to oversee the operation of certain types of airports including Detroit metropolitan Wayne county airport; create. (Sen. G. Steil)
91	5216		Yes	3/26	3/27	4/9/2002 #	ELECTIONS; Voting equipment; uniform statewide voting system; provide for under certain conditions. (Rep. B. Patterson)
92	5674		No	3/27	3/27	**	COURTS; Circuit court; certain judicial circuits and judicial districts; reform, and allow the office of district judge and probate judge to be combined in certain counties. (Rep. K. Bradstreet)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
93	5732		Yes	3/27	3/27	3/27/2002 #	RETIREMENT ; State employees; early retirement for certain state employees; allow under certain circumstances. (Rep. P. DeWeese)
94	5110		Yes	3/27	3/27	3/27/2002 #	RETIREMENT ; Public school employees; public pension protection and health advance funding; provide for. (Rep. S. Caul)
95	5112		Yes	3/27	3/27	3/27/2002 #	RETIREMENT ; Judges; public pension protection; provide for. (Rep. A. Lipsey)
96	5113		Yes	3/27	3/27	3/27/2002 #	RETIREMENT ; State police; public pension protection; provide for. (Rep. C. Brown)
97	5114		Yes	3/27	3/27	3/27/2002 #	RETIREMENT ; Legislative; public pension protection; provide for. (Rep. S. Thomas III)
98	5111		Yes	3/27	3/27	3/27/2002 #	RETIREMENT ; Fire and police; public pension protection; provide for. (Rep. J. Howell)
99	5109		Yes	3/27	3/27	3/27/2002 #	RETIREMENT ; State employees; public pension protection; provide for. (Rep. J. Voorhees)
100	5108		Yes	3/27	3/27	3/27/2002 #	RETIREMENT ; Generally; public pension protection act; enact. (Rep. J. Vander Roest)
101	5125		Yes	3/27	3/27	07/01/02	CRIMES ; Larceny; manufacture, distribution, or possession of a theft detection shielding device or of a tool designed to deactivate or remove a theft detection device; prohibit and provide penalties. (Rep. M. Bishop)
102	5126		Yes	3/27	3/27	7/1/2002 #	CRIMINAL PROCEDURE ; Sentencing guidelines; sentencing guidelines for a theft detection device offense; enact. (Rep. M. Bishop)
103		887	Yes	3/27	3/27	03/27/02	LEGISLATURE ; Auditor general; reference to auditor general regarding compensation of injured peace officers; eliminate. (Sen. T. McCotter)
104		889	Yes	3/27	3/27	03/27/02	LEGISLATURE ; Auditor general; reference to auditor general regarding protective committees; eliminate. (Sen. T. McCotter)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
105		892	Yes	3/27	3/27	03/27/02	LEGISLATURE ; Auditor general; reference to auditor general in the insurance code of 1956; eliminate. (Sen. T. McCotter)
106		896	Yes	3/27	3/27	03/27/02	LEGISLATURE ; Auditor general; reference to auditor general in university funds; eliminate. (Sen. T. McCotter)
107	5145		Yes	3/27	3/27	03/27/02	NATURAL RESOURCES ; Other; conservation district annual meeting; allow for change of date. (Rep. D. Mead)
108	4937		Yes	3/27	3/27	03/27/02	NATURAL RESOURCES ; Fishing; minimum age for voluntary all-species fishing license; eliminate. (Rep. S. Tabor)
109		543	Yes	3/27	3/27	07/01/02	LIENS ; Garage keepers; garage keeper's lien act; clarify certain procedures. (Sen. L. Bennett)
110		678	Yes	3/27	3/27	03/27/02	USE TAX ; Collections; motor vehicles held for resale; define price tax base. (Sen. B. Bullard Jr.)
111	5327		Yes	4/1	4/1	04/01/02	EDUCATION ; Curricula; model financial literacy programs; provide for. (Rep. M. Bishop)
112		730	Yes	3/29	4/1	04/22/02	CRIMINAL PROCEDURE ; Search and seizure; search warrant affidavits; revise procedures. (Sen. S. Johnson)
113		930	Yes	3/29	4/1	4/22/2002 #	CRIMES ; Other; certain acts relating to terrorism; prohibit and provide penalties. (Sen. D. DeGrow)
114		936	Yes	3/29	4/1	5/1/2002 #	CRIMINAL PROCEDURE ; Grand jury; certain grand jury information regarding terrorism-related offenses; clarify information sharing procedures. (Sen. B. Bullard Jr.)
115		939	Yes	3/29	4/1	4/22/2002 #	CRIMES ; Other; crime of obtaining certain diagrams or descriptions of vulnerable targets with the intent to commit a terrorist act; create. (Sen. J. Schwarz)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
116		940	Yes	3/29	4/1	4/22/2002 #	CRIMES; Definitions; definition of vulnerable target in explosives chapter of penal code; expand to include stadiums, critical transportation infrastructures, and public services providers. (Sen. W. North)
117		942	Yes	3/29	4/1	4/22/2002 #	CRIMES; Other; use of the internet or other electronic or telecommunication system or device to disrupt critical infrastructures or governmental operations; provide penalties. (Sen. B. Hammerstrom)
118		943	Yes	3/29	4/1	05/01/02	TRANSPORTATION; Carriers; penalties for the transportation of hazardous materials without a hazardous materials endorsement; increase. (Sen. K. Sikkema)
119		948	Yes	3/29	4/1	4/22/2002 #	CRIMINAL PROCEDURE; Statute of limitations; statute of limitations for certain crimes involving terrorism; eliminate. (Sen. M. Goschka)
120		949	Yes	3/29	4/1	4/22/2002 #	CRIMINAL PROCEDURE; Sentencing; restitution to all governmental entities for terrorist activities; require. (Sen. L. Bennett)
121		994	Yes	3/29	4/1	04/01/02	MILITARY AFFAIRS; Other; military leaves and reemployment protection for members of the military who have been called to active service; clarify. (Sen. A. Miller Jr.)
122		995	Yes	3/29	4/1	4/22/2002 #	CRIMINAL PROCEDURE; Sentencing guidelines; certain crimes involving terrorism; include in sentencing guidelines. (Sen. D. Koivisto)
123		996	Yes	3/29	4/1	4/22/2002 #	CRIMINAL PROCEDURE; Sentencing guidelines; sentencing guidelines for crime of certain threats and false reports relating to terrorism; enact. (Sen. D. Byrum)
124		997	Yes	3/29	4/1	4/22/2002 #	CRIMES; Other; terrorism; include as predicate offense for racketeering violation. (Sen. B. Leland)

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125		1005	Yes	3/29	4/1	04/01/02	HEALTH FACILITIES; Hospitals; biohazard detection and handling plan; require each hospital to establish. (Sen. M. Scott)
126	4037		Yes	3/29	4/1	04/22/02	TRAFFIC CONTROL; Driver license; penalties for an individual who reproduces, alters, counterfeits, forges, or duplicates a license photograph; increase. (Rep. J. Faunce)
127	5041		Yes	3/29	4/1	4/22/2002 #	TRAFFIC CONTROL; Driver license; sentencing guidelines for crimes relating to forging driver licenses; enact. (Rep. J. Kooiman)
128	5270		Yes	3/29	4/1	04/22/02	CRIMINAL PROCEDURE; Search and seizure; search warrant affidavits; declare to be nonpublic information. (Rep. S. Caul)
129	5295		Yes	3/29	4/1	04/22/02	CRIMINAL PROCEDURE; Jurisdiction; jurisdiction for prosecution of criminal offense; clarify. (Rep. G. DeRossett)
130	5349		Yes	3/29	4/1	05/01/02	CIVIL RIGHTS; Public records; critical infrastructure; exempt from freedom of information act. (Rep. M. Shulman)
131	5495		Yes	3/29	4/1	4/22/2002 #	CRIMES; Other; certain acts relating to terrorism; prohibit and provide penalties. (Rep. J. Howell)
132	5496		Yes	3/29	4/1	05/01/02	STATE; Planning; Michigan emergency management act; revise powers and duties. (Rep. G. Newell)
133	5501		Yes	3/29	4/1	05/01/02	MILITARY AFFAIRS; Other; procedure for granting immunity to certain military personnel ordered to respond to acts or threats of terrorism, procedure for apprehending individuals, access restrictions to real property used for military purposes, and plans for defense of state; authorize and clarify. (Rep. R. Richardville)

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134	5506		Yes	3/29	4/1	04/22/02	CRIMES ; Other; crime of using, delivering, or possessing an imitation explosive; include possession as violation. (Rep. C. Phillips)
135	5507		Yes	3/29	4/1	04/22/02	CRIMES ; Other; penalties for knowingly placing a harmful substance in food or water supply; increase. (Rep. G. Woronchak)
136	5509		Yes	3/29	4/1	4/22/2002 #	CRIMES ; Money laundering; terrorism; include in definition of "specified criminal offense". (Rep. N. Quarles)
137		946	Yes	4/1	4/1	4/22/2002 #	CRIMINAL PROCEDURE ; Sentencing guidelines; certain crimes involving terrorism; include in sentencing guidelines. (Sen. W. Van Regenmorter)
138		468	Yes	4/1	4/1	04/01/02	PROPERTY ; Conveyances; certain parcels of state owned property in Genesee, Wayne, and Kalkaska counties; provide for conveyance. (Sen. J. Cherry Jr.)
139		899	Yes	4/1	4/1	04/01/02	LEGISLATURE ; Auditor general; reference to auditor general for federal roads; eliminate. (Sen. T. McCotter)
140	5511		Yes	4/1	4/1	4/22/2002 #	CRIMES ; Definitions; definition of vulnerable target in explosives chapter of penal code; expand to include certain other structures and facilities. (Rep. L. Toy)
141	5512		Yes	4/1	4/1	4/22/2002 #	CRIMINAL PROCEDURE ; Other; compensation to victims and payment of expenses for government response for terrorism-related offenses; provide for. (Rep. G. Jacobs)
142	5513		Yes	4/1	4/1	05/01/02	CRIMINAL PROCEDURE ; Forfeiture; seizure and forfeiture of property used in connection with a terrorism-related offense; provide for. (Rep. C. LaSata)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
143	5520		Yes	4/1	4/1	4/22/2002 #	CRIMINAL PROCEDURE; Sentencing guidelines; certain crimes involving terrorism; include in sentencing guidelines. (Rep. D. Bovin)
144		1105	Yes	4/1	4/1	4/1/2002 +	APPROPRIATIONS; Higher education; higher education; provide for fiscal year 2002-2003. (Sen. J. Schwarz)
145		902	Yes	4/1	4/2	04/02/02	LEGISLATURE; Auditor general; reference to auditor general in hospitals and sanatoria; eliminate. (Sen. T. McCotter)
146	5400		Yes	4/1	4/2	04/02/02	INSURANCE; Life; ability to provide excess loss insurance; provide for. (Rep. L. Julian)
147	5328		Yes	4/1	4/2	04/02/02	PROPERTY; Land contracts; definition of “real estate mortgage”; clarify. (Rep. M. Bishop)
148	5118		Yes	Unsigned	4/5	04/05/02	NATURAL RESOURCES; Gas and oil; slant drilling beneath Great Lakes; prohibit except for existing leases. (Rep. S. Shackleton)
149	5021		Yes	4/8	4/8	07/01/02	TRAFFIC CONTROL; Speed restrictions; penalties for violation of speed limit in construction zone; increase number of points added to driving record. (Rep. J. Allen)
150		811	Yes	4/8	4/8	04/08/02	TRANSPORTATION; Other; use of rights-of-way, structures, welcome centers, and rest stops for commercial intelligent transportation system applications; allow. (Sen. B. Bullard Jr.)
151		812	Yes	4/8	4/8	04/08/02	TRANSPORTATION; Other; use of rights-of-way, structures, welcome centers, and rest stops for commercial intelligent transportation system applications; allow. (Sen. B. Bullard Jr.)
152	5422		Yes	4/8	4/8	04/08/02	LOCAL GOVERNMENT; Bonds; bonding authority of community colleges; modify. (Rep. T. Meyer)

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Public Act No.	Enrolled House Bill	Enrolled Senate Bill	I.E.* Yes / No	Governor Approved Date	Filed Date	Effective Date	Subject
Veto	4022					03/15/02	TRAFFIC CONTROL; Speed restrictions; speed limits; allow input by townships in setting certain speed limits. (Rep. R. Jamnick)
Veto	4022					03/15/02	TRAFFIC CONTROL; Speed restrictions; speed limits; allow input by townships in setting certain speed limits. (Rep. R. Jamnick)

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MICHIGAN ADMINISTRATIVE CODE TABLE
(2002 SESSION)

MCL 24.208 states in part:

“Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(i) Other official information considered necessary or appropriate by the office of regulatory reform.”

The following table cites administrative rules promulgated during the year 2000, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).

MICHIGAN ADMINISTRATIVE CODE TABLE
(2002 RULE FILINGS)

R Number	Action	2002 MR Issue	R Number	Action	2002 MR Issue	R Number	Action	2002 MR Issue
281.1224	*	3	285.1328	*	6	285.1701	*	6
285.351	N	4	285.1329	*	6	285.1702	*	6
285.352	N	4	285.1330	*	6	285.1703	*	6
285.353	N	4	285.1331	*	6	285.1704	*	6
285.354	N	4	285.1332	*	6	285.1705	*	6
285.355	N	4	285.1401	*	6	285.1801	*	6
285.356	N	4	285.1402	R	6	285.1901	*	6
285.1101	*	6	285.1403	*	6	285.1902	*	6
285.1102	*	6	285.1404	R	6	285.1903	*	6
285.1103	*	6	285.1405	*	6	285.1904	*	6
285.1104	*	6	285.1406	*	6	285.1905	*	6
285.1201	*	6	285.1407	R	6	285.1906	*	6
285.1202	*	6	285.1408	*	6	285.1907	*	6
285.1203	*	6	285.1501	*	6	325.60151	*	1
285.1301	*	6	285.1510a	A	6	325.66201	A	4
285.1302	*	6	285.1502	*	6	325.77101	*	1
285.1303	*	6	285.1503	*	6	336.1301	*	5
285.1304	*	6	285.1504	*	6	336.1303	*	5
285.1306	*	6	285.1505	*	6	336.1330	*	5
285.1307	*	6	285.1506	*	6	336.1331	*	5
285.1308	*	6	285.1507	*	6	336.1371	*	5
285.1309	*	6	285.1508	*	6	336.1372	*	5
285.1310	*	6	285.1509	*	6	336.1374	*	5
285.1311	*	6	285.1510	*	6	336.1401	*	5
285.1312	*	6	285.1511	*	6	336.1403	*	5
285.1313	*	6	285.1512	*	6	336.1601	*	5
285.1314	*	6	285.1513	*	6	336.1602	*	5
285.1315	*	6	285.1514	*	6	336.1604	*	5
285.1316	*	6	285.1515	*	6	336.1605	*	5
285.1317	*	6	285.1516	R	6	336.1606	*	5
285.1318	*	6	285.1517	*	6	336.1607	*	5
285.1319	*	6	285.1601	R	6	336.1608	*	5
285.1320	*	6	285.1602	*	6	336.1610	*	5
285.1321	*	6	285.1603	*	6	336.1615	*	5
285.1322	*	6	285.1604	*	6	336.1616	*	5
285.1323	*	6	285.1605	*	6	336.1617	*	5
285.1324	*	6	285.1606	*	6	336.1618	*	5
285.1325	*	6	285.1607	*	6	336.1619	*	5
285.1326	*	6	285.1608	R	6	336.1622	*	5
285.1327	*	6	285.1609	R	6	336.1623	*	5

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336.1627	*	5	338.3101	*	7	408.11807	A	7
336.1628	*	5	338.3102	*	7	408.11808	A	7
336.1629	*	5	338.3113	*	7	408.11821	*	7
336.1630	*	5	338.3113a	*	7	408.11822	*	7
336.1631	*	5	338.3114a	*	7	408.11824	*	7
336.1651	*	5	338.3117	*	7	408.11825	*	7
336.1701	*	5	338.3119a	*	7	408.11826	R	7
336.1702	*	5	338.3120	*	7	408.11827	A	7
336.1703	*	5	338.3121a	A	7	408.11833	A	7
336.1704	*	5	338.3123	*	7	408.11835	*	7
336.1705	*	5	338.3125	*	7	408.11837	R	7
336.1901	*	5	338.3126	A	7	408.11841	*	7
336.1906	*	5	338.3127	*	7	408.11843	*	7
336.1911	*	5	338.3132	*	7	408.11844	A	7
336.1930	*	5	338.3133	R	7	408.11845	*	7
336.1931	*	5	338.3134	R	7	408.11847	*	7
336.1932	*	5	338.3136	*	7	408.11851	*	7
336.2001	*	5	338.3138	*	7	408.11852	*	7
336.2002	*	5	338.3139	*	7	408.11853	*	7
336.2003	*	5	338.3141	*	7	408.11854	A	7
336.2004	*	5	338.3143	*	7	408.11855	*	7
336.2005	*	5	338.3145	*	7	408.11857	*	7
336.2007	*	5	338.3151	*	7	408.11859	*	7
336.2011	*	5	338.3152	*	7	408.11861	*	7
336.2012	*	5	338.3153	*	7	408.11865	*	7
336.2013	*	5	338.3153a	*	7	408.11871	*	7
336.2014	*	5	338.3154	*	7	408.11872	*	7
336.2021	*	5	338.3161	*	7	408.11873	A	7
336.2040	*	5	338.3162	*	7	408.11874	A	7
336.2041	*	5	338.3162a	*	7	408.11875	*	7
336.2060	*	5	338.3163	*	7	418.101002	*	1
336.2101	*	5	338.3167	*	7	418.10107	*	1
336.2150	*	5	338.3168	*	7	418.10115	*	1
336.2155	*	5	338.3169	*	7	418.10116	*	1
336.2159	*	5	338.3170	*	7	418.10117	*	1
336.2170	*	5	408.11801	*	7	418.10202	*	1
336.2175	*	5	408.11803	*	7	418.10205	*	1
336.2189	*	5	408.11804	*	7	418.10405	R	1
336.2190	*	5	408.11805	*	7	418.10406	R	1
338.1555	A	1	408.11806	*	7	418.10407	R	1

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418.10415	R	1	423.144	A	1	423.401	R	1
418.10501	R	1	423.145	A	1	423.403	R	1
418.10502	R	1	423.146	A	1	423.405	R	1
418.10503	R	1	423.147	A	1	423.407	R	1
418.10901	*	1	423.148	A	1	423.411	R	1
418.10904	*	1	423.149	A	1	423.421	R	1
418.10909	A	1	423.149a	A	1	423.422	R	1
418.10912	*	1	423.149b	A	1	423.423	R	1
418.10916	*	1	423.151	A	1	423.431	R	1
418.10918	R	1	423.152	A	1	423.432	R	1
418.10923	*	1	423.153	A	1	423.433	R	1
418.101005	A	1	423.154	A	1	423.434	R	1
421.121	*	7	423.155	A	1	423.435	R	1
421.122	*	7	423.156	A	1	423.441	R	1
421.150	*	7	423.157	A	1	423.442	R	1
421.190	*	7	423.158	A	1	423.443	R	1
421.201	*	7	423.161	A	1	423.444	R	1
421.204	*	7	423.162	A	1	423.445	R	1
421.216	*	7	423.163	A	1	423.446	R	1
421.210	*	7	423.164	A	1	423.447	R	1
423.101	A	1	423.165	A	1	423.448	R	1
423.102	A	1	423.166	A	1	423.449	R	1
423.103	A	1	423.167	A	1	423.450	R	1
423.104	A	1	423.171	A	1	423.451	R	1
423.105	A	1	423.172	A	1	423.452	R	1
423.121	A	1	423.173	A	1	423.453	R	1
423.122	A	1	423.174	A	1	423.454	R	1
423.123	A	1	423.175	A	1	423.455	R	1
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423.132	A	1	423.178	A	1	423.462	R	1
423.133	A	1	423.179	A	1	423.463	R	1
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423.135	A	1	423.182	A	1	423.465	R	1
423.136	A	1	423.183	A	1	423.466	R	1
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